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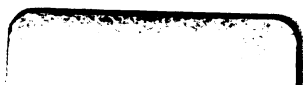


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DOCUMENTS

RELATING TO

NEW-ENGLAND FEDERALISM.

1800-1815. //

EDITED

BY HENRY ADAMS.



BOSTON:

LITTLE, BROWN, AND COMPANY.

1877.



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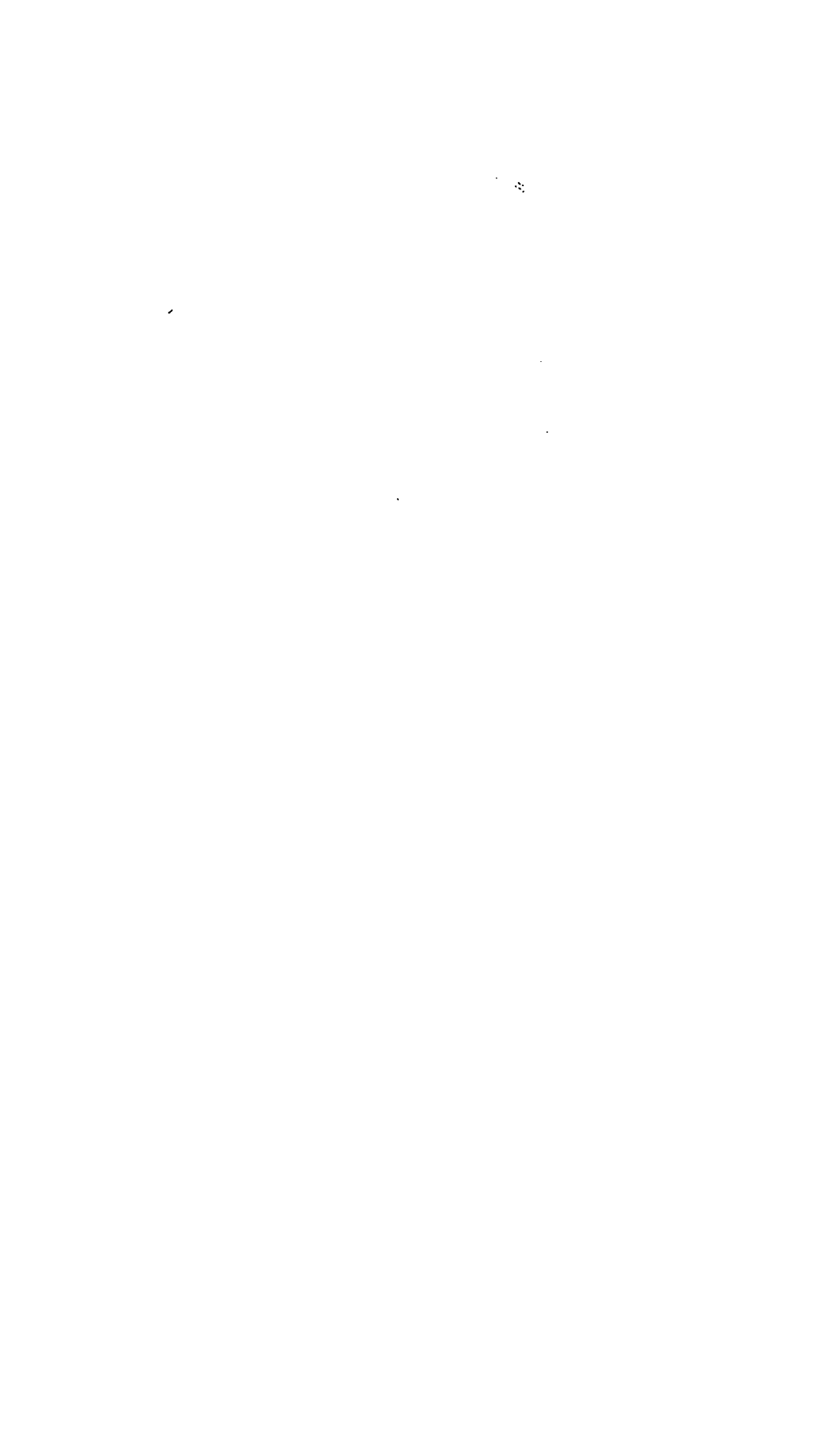


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# **NEW-ENGLAND FEDERALISM.**

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CAMBRIDGE:

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## P R E F A C E.

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THIS volume has no controversial purpose. Under the ashes of half a century the fires of personal party passion still glow in these pages; but only cautious students in history care any longer to stir them. For such as these this volume is printed; not with a view to controversy, but to place before them historical matter which there is no further reason to withhold.

Indeed, so far as controversy is concerned, the recent publication, by Mr. H. Cabot Lodge, of "The Life and Letters of George Cabot" has put at rest for ever a point which was chiefly in dispute fifty years ago. The appearance of that biography, marking as it does the moment when party-spirit begins to yield to a broader spirit of impartial investigation, has removed the last objection to publishing the paper entitled "Reply to the Appeal of the Massachusetts Federalists," which makes the larger portion of this volume. Both Mr. Lodge, and Mr. Plumer in preparing his "Life of William Plumer," had the free use of this paper manuscript. Their books, in each case, need, and most assume in their readers, a previous acquaintance

## PREFACE.

th it; and there is no reason for denying to others, to the public, what was freely conceded to them.

With one class of exceptions, all the papers here printed are given exactly as they are found in the sources from which they are taken. The exception relates only to the "Reply," by J. Q. Adams, in which a few passages of a personal nature, relating to Mr. H. Otis, have been omitted. Readers will bear in mind that the "Reply" was written at a time when its author, after six years of political strain such as has fallen to the lot of few men in American history, had at last been driven, in what he conceived to be disgrace and humiliation, from the Presidency, and was returning to Quincy, smarting not only under the conviction that this was to be the end of a career which he had so earnestly longed to make useful to his country, but smarting, also, under a series of petty and exasperating attacks, the inevitable condition of the position he held, but which seemed to him to have no motive other than his still deeper humiliation. His diary tells how, at this time, the sense of personal abandonment, caused by the rapid desertion of his former friends and followers, had gained so strong a hold upon his mind that scarce a day passed when his ears did not ring with the words refrain :—

"O Richard! O mon roi!

"L'univers t'abandonne."

Under the reaction from this long and depressing struggle, after the excitement of the contest was over, he sat down to write this paper. It would be surprising if

a work written under such circumstances, and even in its mildest possible shape involving on every side points of the keenest personal feeling, had shown no trace of bitterness. Such traces are, in fact, abundant, and, as it happened, more particularly addressed against Mr. Harrison Gray Otis, although Mr. Otis had not been by far Mr. Adams's bitterest political enemy, even among those to whom he wrote. But, by the time the paper was completed and the author had taken the advice of friends regarding it, he became satisfied that his own wrongs, if wrongs they were, could not be bettered by revenging them on Mr. Otis; nor would the public good be furthered by reviving the memory of Northern schemes of resistance to the national authority, at a time when the Union was staggering under the shock of similar projects in South Carolina and Georgia. He suppressed the publication; and it was not long before the patriotic course of Mr. Otis, at the time of the nullification excitement, led Mr. Adams to rejoice at the suppression, and to look upon Mr. Otis with more kindly eyes. The editor has therefore assumed the responsibility of omitting in this publication such portions as were merely personal to Mr. Otis, and could be omitted without mutilating the argument. It is, however, proper to add, that nothing in the omitted portions bears more hardly upon Mr. Otis than much which has been necessarily retained.

In order to furnish students in one mass with all the evidence as yet at hand to throw light upon the acts and motives of the characters in this curious scene of

our history, the editor has attempted to collect in an Appendix a quantity of contemporaneous correspondence, mostly taken from the Pickering manuscripts in the library of the Massachusetts Historical Society, — the only considerable collection of Federalist papers of the time which has yet been thrown open to the student. Much of this has already been printed in Mr. Lodge's "Life of George Cabot" and elsewhere; but much is new, or, at least, placed for the first time in its true connection. In collecting these documents, the editor has had no reference to the question which side of the controversy they support. Indeed, some letters are printed which bear only remotely upon the controversy in any form. The very limited number of notes he has inserted are intended chiefly to furnish the student with references to other authorities. So far as the editor is concerned, his object has been, not to join in an argument, but to stimulate, if possible, a new generation in our universities and elsewhere, by giving them a new interest in their work and new material to digest.

WASHINGTON,

November 29, 1877.

## TABLE OF CONTENTS.

---

- I. Letter of William B. Giles to the "Richmond Enquirer" of  
7th September, 1827 . . . . .  
Enclosure. Extract from the "National Journal" .  
" " " " "Whig" . . . . .  
" Letter from Mr. Jefferson to Mr. Giles,  
dated 26th December, 1825 . . . . .
- II. Letter of Archibald Stuart to Thomas J. Randolph, dated  
11th October, 1828, with reply from Mr. Randolph,  
of same date . . . . .  
Enclosure. Letter from Mr. Jefferson to Mr. Giles,  
dated 25th December, 1825 . . . . .
- III. Letter of William B. Giles to the "Richmond Enquirer,"  
dated 21st October, 1828. . . . .  
Enclosure. Letter from Mr. Giles to Mr. Jefferson,  
dated 15th December, 1825 . . . . .
- IV. Statement from the "National Intelligencer" of 21st Octo-  
ber, 1828, by John Quincy Adams . . . . .
- V. Letter of William B. Giles to the "Richmond Enquirer,"  
dated 24th October, 1828 . . . . .
- VI. Letter of Massachusetts Federalists to John Quincy Adams,  
dated 26th November, 1828 . . . . .
- VII. Reply of John Quincy Adams to the Letter of Massachusetts  
Federalists, dated 30th December, 1828 . . . . .
- VIII. Appeal of the Massachusetts Federalists to the Citizens of  
the United States, dated 28th January, 1829 . . . . .
- IX. Letter of James Gould to the "New York Evening Post,"  
enclosing Statements of Connecticut Federalists,  
dated 11th April, 1829 . . . . .
- X. Reply to the Appeal of the Massachusetts Federalists, by  
John Quincy Adams . . . . . 1



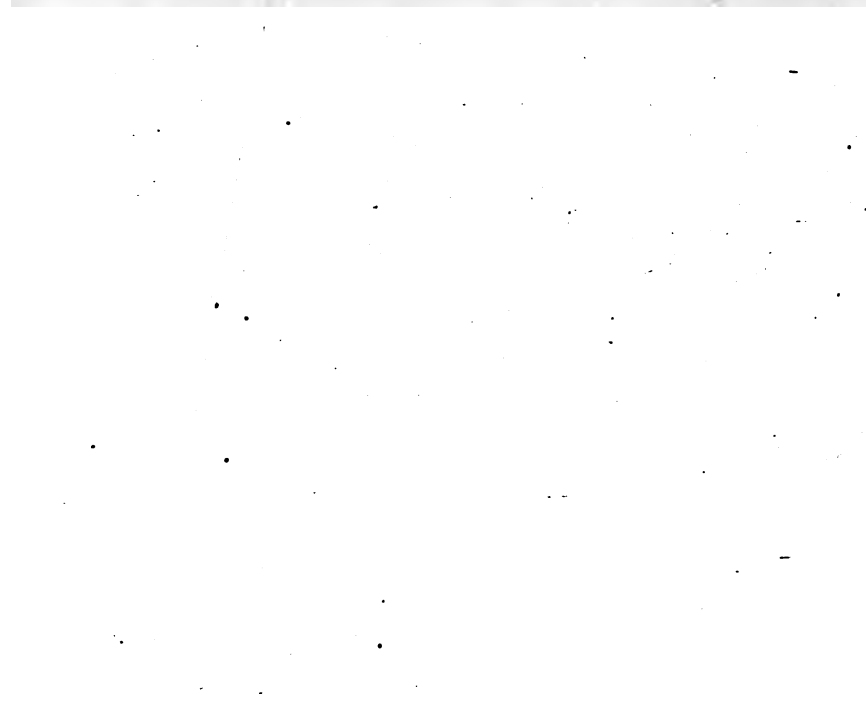


# TABLE OF CONTENTS.

John Lowell to Timothy Pickering . . . .	3 December, 1814,	4
Timothy Pickering to James Hillhouse . . . .	16 " "	4
Gouverneur Morris to Timothy Pickering . . . .	22 " "	4
Timothy Pickering to Samuel Hodgdon . . . .	25 " "	4
James Hillhouse to Timothy Pickering . . . .	5 January, 1815,	4
Gouverneur Morris to Moss Kent . . . . .	10 " "	4
Christopher Gore to Caleb Strong . . . . .	14 " "	4
" " " " " . . . . .	22 " "	4
Timothy Pickering to John Lowell . . . . .	23 " "	4
" " " " " . . . . .	24 " "	4

---

INDEX . . . . .	4
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# NEW-ENGLAND FEDERALISM.

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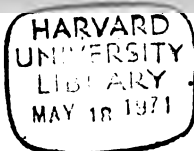
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death. Under these circumstances, it appears to me to have become the duty of every friend of Mr. Jefferson, and of his country, who may be in possession of any written declarations from him, serving to demonstrate his real opinions respecting the perilous crisis of the country, to lay them before the public, and thus at once to put down the surreptitious ones. This course alone can serve to rescue Mr. Jefferson's unsullied republican fame from the false and unmerited aspersions brought against it, under the guise of affected plaudits the most delusive and deceptive. Besides, I conceive, under these gross attempts at deception, the public has a right to demand a disclosure of all Mr. Jefferson's real opinions, in whosoever hands they may be, as a protection against the mischievous influence of the spurious opinions falsely ascribed to him, and that, too (as I believe), by his now most unnatural, loving friends, not long since his most deadly foes. Two papers of this description, which have particularly attracted my attention, will be introduced here: the one taken from the "National Journal," the devoted "coalition" paper, — at least, so characterized; the other, from the "Richmond Whig." This latter is ushered forth by a writer under the signature of "A Farmer," who most charitably charges his brother farmers, and everybody else not acting under the same delusive influence with himself, with being "confiding dupes;" whereas the scribbling farmer seems himself to be the most "confiding dupe" that ever undertook to enlighten a people by overcasting them with the thick mist in which he is himself enveloped. So much so, that he seems to be led about by some *ignis fatuus*, with siren songs, made up in doleful, pathetic strains, which he deals out to others in the same fascinating, heart-rending melody. These characteristics will shine with peculiar lustre in the example here exhibited. Should this "confiding dupe" of a farmer possess only a small portion of the candor of his calling, I think, after reading Mr. J.'s letter, containing his real opinions, and contrasting them with the surreptitious ones which have served to "dupe" the confiding farmer, he will at once acknowledge that there is no occa-

sion to ask, "Who is the dupe?" He must stand himself "the dupe confessed." Doubtlessly, he will be surprised to be told that he is as much the *unconscious* "dupe" in many other of his delusive disclosures to the people. Having made them, if he means to give the people fair play, it has become his duty to hunt them up himself, and do his best to undeceive his own "confiding dupes," should he have been so unfortunate as to have made any.

WM. B. GILES.

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[Enclosure.]

EXTRACT FROM THE "NATIONAL JOURNAL."

"One venerable authority, however, has been introduced in support of the claims of General Jackson, so imposing as to carry with it, if uncontradicted, great moral weight. We allude to that of the departed and lamented Jefferson, who has been quoted, since the grave closed upon his mortal remains, on the ground of a volunteer sentiment given by him at a public dinner, as being favorable to the election of General Jackson. To suit this purpose, the toast itself was garbled; but, even thus garbled, meant nothing but that General Jackson had earned, what he has justly received as the reward of his services, — the thanks of his country. Opposed to such construction as has been put upon Mr. J.'s toast, we have in our possession conclusive testimony that the sentiments which we have expressed on this subject are those which the illustrious Jefferson expressed, but in stronger terms. We have his dying words, so to speak; and we will close this article with them. Of late years, that venerable man seldom ventured to say any thing on politics; but, not many years before his death, he observed to a friend, 'that his faith in the self-government of the people had never been so completely shaken as it had been by the efforts made at the last election to place over their heads one who, in every station he ever filled, either military or civil, made it a point to violate every order and instruction given him, and to take his own arbitrary will as the guide to his conduct.'

"In such terms, strong as they are, and much stronger than we are disposed to use, did Mr. Jefferson speak, just before his death, of the alarm created in his mind by the effort to place a merely military man at the head of our republic."

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[Enclosure.]

EXTRACT FROM "THE WHIG."

"These were the signs which called forth from that great apostle of freedom, *Jefferson*, his last but terrible warning: 'My country,' said he, '*thou*, too, will experience the fate which has befallen every free government: *thy* liberties will be sacrificed to the glory of some military chieftain. I had fondly hoped to have found in thee an exception; but thy support of Jackson, — a man who has disregarded every order he has received, who has trampled under foot the laws and Constitution of his country, and who has substituted his own ungovernable will as his own rule of conduct, — thy support of such a man shakes my confidence in the capacity of man for self-government, and I fear all is lost.' This is the language of the dying patriot, and if we followed him, with undiminished confidence and with unexampled success, in times and seasons when liable to temptation, what deference is not due to his opinion when delivered under such solemn circumstances, and in a condition little less imposing than if he had just risen from the dead! Under such high authority, I the more confidently assert that the effort to elect Jackson is the fruitful fountain of the prevailing mischiefs, which every sober man must deprecate as disturbing the repose and threatening the safety of the republic. This infirmity of a blind and idolatrous devotion to military success — the bane of every republic that has gone before us — is the prolific soil whose harvest of bitterness we are now reaping. In the frenzy it produces, reason is no longer heard. The grossest falsehoods are propagated and believed; every object is sacrificed without scruple to the success of the idol."

[Enclosure.]

EXTRACT. JEFFERSON TO WILLIAM B. GILES.

MONTICELLO, Dec. 26, 1825.

DEAR SIR,<sup>1</sup>— I see, as you do, and with the deepest affliction, the rapid strides with which the federal branch of our government is advancing towards the usurpation of all the rights reserved to the States, and the consolidation in itself of all powers, foreign and domestic; and that, too, by constructions which, if legitimate, leave no limits to their power. Take together the decisions of the federal court, the doctrines of the President, and the misconstructions of the constitutional compact acted on by the legislature of the federal branch, and it is but too evident that the three ruling branches of that department are in combination to strip their colleagues, the State authorities, of the powers reserved by them, and to exercise themselves all functions, foreign and domestic. Under the power to regulate commerce, they assume indefinitely that also over agriculture and manufactures; and call it regulation, too, to take the earnings of one of these branches of industry, — and that, too, the most depressed, — and put them into the pockets of the other, — the most flourishing of all.

Under the authority to establish post-roads, they claim that of cutting down mountains for the construction of roads, of digging canals, and, aided by a little sophistry on the words, "general welfare," a right to do not only the acts to effect that, — which are sufficiently enumerated and permitted, — but whatsoever they shall think or pretend will be for the general welfare. And what is our resource for the preservation of the Constitution? Reason and argument? You might as well reason and argue with the marble columns encircling them. The representatives chosen by ourselves? They are joined in the combination, — some from incorrect views of government, some from corrupt ones; sufficient, voting together, to outnumber the sound parts, and, with

<sup>1</sup> The opening lines of this letter were omitted by Governor Giles: "I wrote you a letter yesterday, of which you will be free to make what use you please. This will contain matters not intended for the public eye."



majorities of only one, two, or three, bold enough to go forward in defiance. *Are we, then, to stand at arms?*

[A few words are here omitted, relating merely to an individual.<sup>1</sup>]

No: that must be the last resource, not to be thought of until much longer and greater sufferings. If every infraction of a compact of so many parties is to be resisted at once as a dissolution of it, none can ever be formed which would last one year. We must have patience and longer endurance, then, with our brethren, while under delusion. Give them time for reflection and experience of consequences; and keep ourselves in a situation to profit by the chapter of accidents, and separate from our companions only when the sole alternatives left are the dissolution of our union with them, or submission to a government without limitation of powers. Between these two evils, when we must make a choice, there can be no hesitation. But, in the mean while, the States should be watchful to note every material usurpation on their rights; to denounce them as they occur, in the most peremptory terms; to protest against them as wrongs to which our present submission shall be considered, not as acknowledgments or precedents of right, but as a temporary yielding to the lesser evil, until their accumulation shall outweigh that of separation. I would go still further, and give to the federal member, by a regular amendment of the Constitution, a right to make roads and canals of intercommunication between the States; providing sufficiently against corrupt practices in Congress (log-rolling, &c.), by declaring that the federal proportion of each State of the moneys so employed shall be in works within the State, or elsewhere with its consent, and with a due salvo of jurisdiction. This is the course which I think safest and best as yet.

You ask my opinion of the propriety of giving publicity to what is stated in your letter, as having passed between Mr. John Q. Adams and yourself. Of this, no one can judge but

<sup>1</sup> The passage as printed in Jefferson's Works, vii. 427, runs: "Are we then to stand to our arms with the hot-headed Georgian?"

yourself. It is one of those questions which belong to the forum of feeling. This alone can decide on the degree of confidence implied in the disclosure ; whether, under no circumstances, it was to be communicated to others. It does not seem to be of that character, or at all to wear that aspect. They are historical facts, which belong to the present as well as future times. I doubt whether a single fact known to the world will carry as clear a conviction to it of the correctness of our knowledge of the treasonable views of the Federal party of that day as that disclosed by this the most nefarious and daring attempt to dis sever the Union, of which the Hartford Convention was a subsequent chapter ; and, both of these having failed, consolidation becomes the fourth chapter of the next book of their history. But this opens with a vast accession of strength from their younger recruits, who, having nothing in them of the feelings or principles of '76, now look to a single and splendid government of an aristocracy, founded on banking institutions and moneyed incorporations, under the guise and cloak of their favored branches of manufactures, commerce, and navigation, riding and ruling over the plundered ploughman and beggared yeomanry. This will be to them a next best blessing to the monarchy of their first aim, and, perhaps, the surest stepping-stone to it.

[The foregoing includes the whole of the political part of the letter. Then follows some information and remarks, purely private, and it thus concludes : ]

Our university has been most fortunate in the five professors procured from England. A finer selection could not have been made. Besides their being of a grade of science which has left little superior behind, the correctness of their moral character, their accommodating dispositions and zeal for the prosperity of the institution, leave us nothing more to wish. I verily believe that as high a degree of education can now be obtained here as in the country they left ; and a finer set of youths I never saw assembled for instruction. They committed some irregularities at first, until they learned the lawful length of their tether ; since which it has never been transgressed in the smallest degree. A great

proportion of them are severely devoted to study ; and I fear not to say, that, within twelve or fifteen years from this time, a majority of the rulers of our State will have been educated here. They shall carry hence the correct principles of our day ; and you may count assuredly that they will exhibit their country in a degree of sound respectability it has never known, either in our days or those of our forefathers. I cannot live to see it. My joy must only be that of anticipation ; but that you may see it in full fruition is the probable consequence of the twenty years I am ahead of you in time, and is the sincere prayer of your affectionate and constant friend,

THOMAS JEFFERSON.

The foregoing extract, containing the whole of the political part of the letter, is a true copy from Mr. Jefferson's original letter to me, written in his own handwriting.

WILLIAM B. GILES.

CHARLOTTESVILLE, OCT. 11, 1828.

DEAR SIR, — I am advised that, among the papers in your possession, there is a letter written by your grandfather, vindicating Mr. Adams's political course in the support which he gave to his administration, and the reasons which entitled him to so large a share of his confidence. It is important that their connection should be explained, and that the history of this interesting period should be known to the people; it is important that it should now be known. Your grandfather, if living, would not withhold his testimony in favor of any meritorious public servant, particularly one who had been so distinguished an aid and so bright an ornament to his administration. Candid men of all parties will be glad to receive testimony from so pure a source. May I, I ask the favor of you to furnish me with a copy of the letter referred to, that it may be laid before the people.

I am, dear sir, very affectionately yours, &c.,

ARCHIBALD STUART.

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EDGEHILL, Oct. 11, 1828.

DEAR SIR, — In compliance with your request, I send you a copy of the letter, I presume, alluded to in your note of this morning. Conscious that to suffer any of the writings of my grandfather in my possession to be made subservient to the furtherance of any personal or political purpose, would be an unbecoming and improper abuse of the trust reposed in me, I

where they would fairly admit of that construction. This I believe to be one of those cases. The facts contained in this letter have long been familiar to me, having often heard them with great interest from my grandfather, in conversation with others, on different occasions, from the date of their occurrence to his death. I am aware that this piece-meal publication of his correspondence — many of his letters too, seeing the light, mutilated and detached from their contexts — would bear the appearance of inconsistent and contradictory opinions; yet the evil has no corrective but in the full publication of his manuscripts, which will before long appear, when the public, being in possession of the whole, will be enabled to form a just judgment.

Very affectionately yours,

THOMAS JEFFERSON RANDOLPH.

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[Enclosure.]

THOMAS JEFFERSON TO WILLIAM B. GILES.

MONTICELLO, Dec. 25, 1825.

DEAR SIR, — Your favor of the 15th was received four days ago. It found me engaged in what I could not lay aside till this day.

Far advanced in my eighty-third year, worn down with infirmities which have confined me almost entirely to the house for seven or eight months past, it afflicts me much to receive appeals to my memory for transactions so far back as that which is the subject of your letter. My memory is indeed become almost a blank, of which no better proof can probably be given you than by my solemn protestation that I have not the least recollection of your intervention between Mr. John Q. Adams and myself, in what passed on the subject of the embargo. Not the slightest trace of it remains in my mind. Yet I have no doubt of the exactitude of the statement in your letter; and the less as I recollect the interview with Mr. Adams, to which the previous communications which had passed between him and yourself were

probably and naturally the preliminary. That interview I remember well; not, indeed, in the very words which passed between us, but in their substance, which was of a character too awful, too deeply engraved in my mind, and influencing too materially the course I had to pursue, ever to be forgotten. Mr. Adams called on me pending the embargo, and while endeavors were making to obtain its repeal. He made some apologies for the call, on the ground of our not being then in the habit of confidential communications; but that that which he had then to make involved too seriously the interests of our country not to overrule all other considerations with him, and make it his duty to reveal it to myself particularly. I assured him there was no occasion for any apology for his visit; that, on the contrary, his communications would be thankfully received, and would add a confirmation the more to my entire confidence in the rectitude and patriotism of his conduct and principles. He spoke, then, of the dissatisfaction of the Eastern portion of our confederacy with the restraints of the embargo then existing, and their restlessness under it; that there was nothing which might not be attempted to rid themselves of it; that he had information of the most unquestionable certainty, that certain citizens of the Eastern States (I think he named Massachusetts particularly) were in negotiation with agents of the British government, the object of which was an agreement that the New England States should take no further part in the war then going on; that, without formally declaring their separation from the Union of the States, they should withdraw from all aid and obedience to them; that their navigation and commerce should be free from restraint and interruption by the British; that they should be considered and treated by them as neutrals, and as such might conduct themselves towards both parties, and, at the close of the war, be at liberty to rejoin the confederacy.

He assured me that there was eminent danger that the convention would take place; that the temptations were such as might debauch many from their fidelity to the Union; and that, to enable its friends to make head against it, the repeal

of the embargo was absolutely necessary. I expressed a just sense of the merit of this information, and of the importance of the disclosure to the safety and even the salvation of our country. And, however reluctant I was to abandon the measure (a measure which, persevered in a little longer, we had subsequent and satisfactory assurance, would have effected its object completely), from that moment, and influenced by that information, I saw the necessity of abandoning it; and, instead of effecting our purpose by this peaceful weapon, we must fight it out, or break the Union. I then recommended to my friends to yield to the necessity of a repeal of the embargo, and to endeavor to supply its place by the best substitute in which they could procure a general concurrence.

I cannot too often repeat that this statement is not pretended to be in the very words which passed; that it only gives faithfully the impression remaining on my mind. The very words of a conversation are too transient and fugitive to be so long retained in remembrance. But the substance was too important to be forgotten, not only from the revolution of measures it obliged me to adopt, but also from the renewals of it in my memory on the frequent occasions I have had of doing justice to Mr. Adams, by repeating this proof of his fidelity to his country, and of his superiority over all ordinary considerations when the safety of that was brought into question.

With this best exertion of a waning memory which I can command, accept assurances of my constant and affectionate friendship and respect.

THOMAS JEFFERSON.

## III.

WILLIAM B. GILES TO THE EDITORS OF THE "RICHMOND ENQUIRER."<sup>1</sup>

RICHMOND, Oct. 21, 1828.

GENTLEMEN, — A paper published in the "Staunton Spectator," containing some vindictive, ignorant, and deceptive remarks, founded on an extraordinary correspondence between Judge Stuart and T. J. Randolph, Esq., referring to a letter from Mr. Jefferson to myself, is this moment put into my hands. Whether Mr. Randolph has shown himself the friend of his grandfather, Mr. Jefferson, and of his country, by giving up this letter for publication, especially as detached from my letter to Mr. Jefferson to which his is a reply, or whether I have shown myself a friend to both in withholding the publication, will appear from the contents of both letters, connected with the following facts: —

Being unwilling to give information, as coming from myself, of the grounds taken by Mr. Adams for his pretended desertion of the Federal and his affected adhesion to the Republican party, and deeming it highly important that this information should be given to the public, I determined to call on Mr. Jefferson for his recollection of them, and, through them, to urge Mr. Adams himself to publish his own statement of the whole transaction, and his own motives for his own conduct. Accordingly, I addressed a frank communication to Mr. Jefferson, fully explaining my views and objects, and requesting him to give me a written statement of his recollection of the transaction. In reply, Mr. Jefferson addressed me a letter, complaining of the extreme pressure of business, — which I understood to have been of the most unpleasant and embarrassing character, for four days before

<sup>1</sup> From the "Richmond Enquirer" of the 23d October, 1828.



writing his reply, — and of an extreme want of memory. Upon reading over the reply, I found but too much evidence of the justice of his remark in relation to the aberrations of his memory, on that occasion, arising, doubtlessly, from the pressing mental distress of that unfortunate moment; and I instantly determined that no consideration should induce me ever to give it publicity in that form; whilst I felt too much delicacy towards Mr. Jefferson to remind him of the errors of his memory, under the peculiar circumstances of the case. A reference to the reply will, upon the slightest consideration of its contents, exhibit abundantly the propriety of this determination. Mr. Jefferson says that Mr. Adams called on him, *pending the embargo*, for the purpose of making the communication which forms the subject of his letter, and which was the natural prelude to Mr. Adams's pretended conversion, who, he observes, "made some apologies for the call, on the ground of our not being *then* in the habit of confidential communications." Mr. Adams's pretended conversion, as is well known, *preceded* the embargo; and the first public evidences he gave of it were, it will be remembered, his support of that measure, and his extraordinary report in the case of John Smith (in the winter of 1807-8). Yet he might have called on Mr. Jefferson during, as well as before, the embargo. But Mr. Jefferson goes on to state that, in this communication, Mr. Adams informed him that "certain citizens of the Eastern States (I think he named Massachusetts particularly) were in negotiation with agents of the British government; the object of which was an agreement that the New England States should take no further part in the *war then going on*." It would here seem that Mr. Jefferson had blended the period of the war and the embargo together, and that he conceived the war to be "going on" "*pending the embargo*." But he observes further, in another part of the letter: "From that moment, and influenced by that information, I saw the necessity of abandoning it" (the embargo); "and, instead of effecting our purpose by this peaceful weapon, we must fight it out, or break the Union."

The embargo was repealed, without any recommendation

from Mr. Jefferson ; and the war was not begun until 1812, three years after. These are some of the obvious errors into which Mr. Jefferson had fallen at the unfortunate moment of writing his reply to my letter ; and surely they not only afford abundant justification for my withholding its publication, but made it imperiously my duty to do so.

On the 26th of December, 1825, after being, I presume, relieved from the effects of the pressure of the distressing business which had engaged his attention for several days preceding, Mr. Jefferson addressed me another letter, explaining his views of the alarming political condition of the country, under Mr. Adams's administration. This is one of the most clear, lucid, consistent communications, for its objects, of any one of the many he has ever written. It contains no error whatever, either of principle or memory. I had, however, determined not to give publicity to either letter ; but, when I saw Mr. Jefferson's well-known and long-established Republican principles grossly perverted and misrepresented by the administration editors, I felt an irresistible duty to publish his real opinions, as disclosed in that letter. Even then I did not proceed with the publication until I had first addressed a letter to Mr. T. J. Randolph, under cover to a friend in Charlottesville, with a view of getting Mr. Randolph's opinion and advice upon the subject. Mr. Randolph was absent on a visit to the watering-places, and his return uncertain. The letter was requested to be held up until his return, and then delivered to him. Whether it was delivered or not, I cannot tell. In the mean time, Governor Randolph's publication in relation to Mr. Jefferson's political opinions appeared, which I conceived a sufficient fortification of the opinion formed by myself, and an abundant justification for my taking the same course. The loud calls made for the publication of Mr. Jefferson's real opinions related only to his political opinions, not to the grounds disclosed to him by Mr. Adams, for his pretended conversion. His letter of the 25th December had no relation to that subject ; and its publication would have been no answer to those calls. His letter of the 26th was full and unequivocal to that point. Of course, I

published the letter relating to the object of the calls, not the one having no relation thereto. I published the one for the same reason which induced me to refuse to publish the other, — to wit, to do justice to Mr. Jefferson's political fame, and to the public information. The one, written after a night's deliberation and repose, and whose contents speak its own merits, was calculated to rescue Mr. Jefferson's political opinions from the attempts to misrepresent them, and to save the public from the delusion of those misrepresentations; the other I believed to have been written under so undue and unfortunate an impression, producing so many palpable errors as that its publication would do no less injustice to Mr. Jefferson than to the public. The contents of the two will be sufficient of themselves to justify my determination in relation to them; and the consequences attending the unfortunate publication of the letter of the 25th December, 1825, will very shortly, I fear, afford still further justification of it.

But it is intimated that I refused the publication of that letter, with a view of depriving Mr. Adams of the benefit of the favorable opinion expressed of him by Mr. Jefferson, in reference to the time when the communication was made to which the letter relates. To this intimation I give a direct and unequivocal denial. Had I been actuated by any undue motives towards Mr. Adams, the publication of this letter would have afforded abundant means for their exercise, notwithstanding the supposed compliment which it contains. Mr. Jefferson speaks most confidently of Mr. Adams grounding his conversion upon a treasonable conspiracy then carrying on (1807) between the Massachusetts Federalists and certain British agents, nothing doubting his memory upon this all-important point. Is the refusal to give publicity to this information (the only piece of any real importance in relation to Mr. Adams) evidence of a disposition to do injustice to him? Is it not utter destruction to Mr. Adams's fame? And does it not afford the highest evidence, that my inducement to withhold the publication was not to avoid a benefit to Mr. Adams, but to protect Mr. Jefferson's political fame from the malevolent, vindictive attacks now expected

to be levelled at it? So far from entertaining a wish to conceal the fact that Mr. Jefferson once had a good opinion of Mr. Adams, I have stated more than once I believe, publicly, and oftener privately, that there was a time, and a long time, when Mr. Jefferson entertained a high opinion of Mr. Adams's capacity, integrity, and patriotism; during a portion of which time, I labored myself under a similar delusion. I have maintained this fact in opposition to the opinion of some of Mr. Jefferson's warmest friends; and have asserted, in evidence of it, that Mr. Jefferson actually nominated Mr. Adams to the Senate as Minister to Russia, according to the best of my recollection, as one of the last acts of his administration, which nomination was disapproved by the Senate, under an opinion that it was at that time inexpedient to send a minister to Russia. Mr. Madison's subsequent nomination of Mr. Adams to the same office, I always considered as a mere continuation of Mr. Jefferson's previous nomination. I never had a doubt, and never concealed my knowledge of the fact, that Mr. Jefferson did, at one period, entertain a good opinion of Mr. Adams, and could therefore have no motive nor desire to conceal Mr. Jefferson's own testimony to the same fact. And this is the whole amount of the complimentary expression in this letter alluded to by the paper above mentioned, and which I am charged with a desire to conceal. It manifestly, from its context, has reference to time past,—to the period of this communication of which Mr. Jefferson is speaking. This good opinion Mr. Jefferson never entertained of Mr. Adams, perhaps for some time before, and certainly never after, his message to Congress in December, 1825. If any doubts could be entertained upon this subject, from the misinterpretation of the letter of the 25th of December, they must be abundantly satisfied by that of the 26th; extracts from which I shall now proceed to lay before the public, together with my letter to Mr. Jefferson and his in reply. I repeat the declaration, that the extracts from the letter of the 26th contain the whole of the political part of that letter. I disdain to prop such a pledge by the testimony of any one; but the original letters are in my possession, and

are offered to the inspection of any gentleman of any party who may please to call and examine them, under an injunction that he shall make no improper use of the parts considered private, the impropriety of divulging which will be manifest to every one.

From the view of the whole, the following results will appear : —

1st. My extreme reluctance in giving information respecting Mr. Adams's pretended conversion under any circumstances, whilst I was extremely desirous that he should do so himself.

2d. That I published Mr. Jefferson's letter of the 26th under the influence of irresistible calls for that purpose.

3d. That the contents of that letter related directly to the objects of the calls.

4th. That the letter of the 25th did not relate to them in any respect whatever, and, of course, the publication of that letter would not have been justified by them.

5th. That the inducement for withholding it was to avoid the exposure of a momentary want of memory on the part of Mr. Jefferson.

6th. That it was not with a view of doing any injustice to Mr. Adams, by withholding Mr. Jefferson's compliments to him ; which, when properly explained, especially by the letter of the 26th, and understood as I understand them, fasten on him the greatest reproaches.

7th. That I published the whole of the political part of Mr. Jefferson's letter of the 26th ; and the private parts omitted will be seen, upon inspection, not intended for publication, being rather of a sportive cast towards certain descriptions of individuals, and are certainly the matter of that letter not intended for the public eye.

The foregoing sketch is written on the spur of the occasion. If necessary, further explanations and developments will be hereafter given.

WM. B. GILES.

[Enclosure.]

W. B. GILES TO THOMAS JEFFERSON.

WIGWAM, Dec. 15, 1825.

MY DEAR SIR,—Without hearing directly from you in relation to the present crisis in our political affairs, I take it for granted that you view it with the same regrets and alarms that I do. Such have been the impressions upon my mind produced by the rapidly progressive usurpations of the general government, that I have deemed it a duty to make them known to the public, under the caption of political disquisitions. Since seeing the President's Message, I have determined to extend the disquisitions into an examination of some of the most prominent principles avowed in it. In the performance of this task, I think material aid might be derived from looking back to the period of Mr. Adams's political conversion, reviewing the inducements then suggested by him for his conversion, and tracing the outlines of the policy pursued by him from that time to the present. But I could not permit myself to place that transaction before the public without consulting you, sir, upon the propriety of the measure: first, as to the suggested inducements themselves; second, as to the propriety of giving them publicity. I presume you will well recollect, sir, that Mr. Adams first intimated to you his intended change of politics, through me. The inducements suggested for this change were, I think, substantially the following: that propositions had been made by certain British agents to many leading Federalists in the Eastern States, in the event of war between the United States and Great Britain, to separate New England from the rest of the States, and to enter into an offensive and defensive alliance with Great Britain; that the proposition was approved by many of them; that he had been consulted upon its feasibility, and urged to unite with the approving Federalists in giving it the sanction of the whole party; that his love of country became shocked at the proposition, and he had resolved to abandon a party who could be induced to

countenance the treasonable project. After urging Mr. Adams to make his communication in person, and his refusal, at his request and upon his authority I gave you the information in substance as above stated, according to the best of my recollection. As an inducement to Mr. Adams to call on you in person upon the occasion, I took the liberty of expressing a confident opinion to him that he would be received by you with due respect and attention. I apprised you of this intimation to Mr. Adams, when you requested me to reassure him upon the same point, which I accordingly did; and I understood that, afterwards, he had several personal interviews with you upon the subject. I also informed you, at the same time, that Mr. Adams accompanied his communication with the strongest assurances of his entire disinterestedness, and that he actually disclaimed all views of official preferment and personal aggrandizement in any form. As to the point of publicity, I have to observe that I have no intention of publishing this statement of facts without your consent, probably not without the consent of Mr. A.; but, in the event of your yielding to its publication, he will be strongly pressed to do so on his part. I propose, however, to refer to so much of that transaction as is already before the public. This will be seen in a speech delivered by myself in the Senate of the United States on the 2d of December, 1808, a copy of which accompanies this note, for your information. This particular subject was introduced for the purpose of defending Mr. Adams against charges brought against him by Mr. Pickering, and will be found in pages 7, 8, 9. You will also find, sir, that one object of that speech was to repel charges made by the same gentleman against yourself and Mr. Madison, as well as Mr. Adams. The statement of that transaction at that time, as far as it went, having been introduced in vindication of Mr. Adams, was quite acceptable to him, as I understood shortly afterwards. It is through his admission, on that occasion, he will now be pressed for a full development of the whole of that transaction, which has subsequently turned out to be the

most eventful of his whole life. It will occur to you, sir, that, if this transaction should be placed before the public *in extenso*, your reply to this note will form part of the publication.

Be pleased, sir, to accept assurances of my best and most affectionate regard.

WM. B. GILES.



## IV.

FROM THE "NATIONAL INTELLIGENCER" OF OCT.  
21, 1828.

THE publication of a letter from Mr. Jefferson to Mr. Giles, dated the 25th of December, 1825, concerning a communication made by Mr. Adams to Mr. Jefferson in relation to the embargo of 1807, renders necessary the following statement, which we are authorized by Mr. Adams to make:—

The indistinctness of the recollections of Mr. Jefferson, of which his letter itself feelingly complains, has blended together three distinct periods of time; and the information which he did receive from Mr. Adams, with events which afterwards occurred, and of which Mr. Adams could not have informed him. It fortunately happens that this error is apparent on the face of the letter itself. It says, "Mr. Adams called on me *pending the embargo*, and while endeavors were making to obtain its repeal." He afterwards says that, at this interview, Mr. Adams, among other things, told him that "he had information, of the most unquestionable certainty, that certain citizens of the Eastern States (I think he named Massachusetts particularly) were in negotiation with agents of the British government, the object of which was an agreement that the New England States should *take no further part in the war then going on*," &c.

The embargo was enacted on the 22d of December, 1807, and repealed, by the Non-intercourse Act, on the 1st of March, 1809. The war was declared in June, 1812.

In August, 1809, Mr. Adams embarked for Russia,—nearly three years before the declaration of war,—and did not return to the United States till August, 1817,—nearly three years after the conclusion of the peace.

Mr. Madison was inaugurated President of the United States on the 4th of March, 1809.

It was impossible, therefore, that Mr. Adams could have given any information to Mr. Jefferson of negotiations by

citizens of Massachusetts with British agents, *during the war*, or having relation to it. Mr. Adams never had knowledge of any such negotiations.

The interview to which Mr. Jefferson alludes took place on the 15th of March, 1808, pending the embargo, but at the session of Congress before the substitution for it of the Non-intercourse Act. The information given by Mr. Adams to Mr. Jefferson had only an indirect reference even to the embargo, and none to any endeavors for obtaining its repeal. It was the substance of a letter from the Governor of Nova Scotia to a person in the State of Massachusetts, written in the summer of 1807, and before the existence of the embargo ; which letter Mr. Adams had seen. It had been shown to him without any injunction of secrecy, and he betrayed no confidence in communicating its purport to Mr. Jefferson. Its object was to countenance and accredit a calumny, then extensively prevailing, among the enemies of Mr. Jefferson and the opponents of his administration, that he and his measures were subservient to France ; and it alleged that the British government were informed of a plan, determined upon by France, to effect the conquest of the British Provinces on this continent, and a revolution in the government of the United States ; as means to which, they were first to produce war between the United States and England. From the fact that the Governor of Nova Scotia had written such a letter to an individual in Massachusetts, connected with other facts and with the movements of the party then predominant in that State, Mr. Adams and Mr. Jefferson drew their inferences, which subsequent events doubtless confirmed, but which inferences neither Mr. Jefferson nor Mr. Adams then communicated to each other. This was the only confidential interview which, during the administration of Mr. Jefferson, took place between him and Mr. Adams. It took place, first, at the request of Mr. Wilson Cary Nicholas, then a member of the House of Representatives of the United States, a confidential friend of Mr. Jefferson ; next, of Mr. Robinson, then a Senator from Vermont ; and lastly, of Mr. Giles, then a Senator from Virginia ; which request is the only intervention of Mr. Giles ever known to Mr. Adams between him

and Mr. Jefferson. It is, therefore, not surprising that no such intervention occurred to the recollection of Mr. Jefferson in December, 1825.

This interview was in March, 1808. In May of the same year Mr. Adams resigned his seat in the Senate of the United States.

At the next session of Congress, which commenced in November, 1808, Mr. Adams was a private citizen, residing at Boston. The embargo was still in force, operating with extreme pressure upon the interests of the people, and was wielded as a most effective instrument, by the party prevailing in the State, against the administration of Mr. Jefferson. The people were constantly instigated to forcible resistance against it; and juries after juries acquitted the violators of it, upon the ground that it was unconstitutional, assumed in the face of a solemn decision of the District Court of the United States. A separation of the Union was openly stimulated in the public prints; and a convention of delegates of the New England States, to meet at New Haven, was intended and proposed.

Mr. Giles, and several other members of Congress, during this session, wrote to Mr. Adams confidential letters, informing him of the various measures proposed as re-enforcements or substitutes for the embargo, and soliciting his opinions upon the subject. He answered those letters with frankness, and in confidence. He earnestly recommended the substitution of the non-intercourse for the embargo; and, in giving his reasons for this preference, was necessarily led to enlarge upon the views and purposes of certain leaders of the party, which had the management of the State legislature in their hands. He urged that a continuance of the embargo much longer would certainly be met by forcible resistance, supported by the legislature, and probably by the judiciary, of the State; that, to quell that resistance, if force should be resorted to by the government, it would produce a civil war; and that, in that event, he had no doubt the leaders of the party *would* secure the co-operation with them of Great Britain; that their object was, and had been for several years, a dissolution of the Union, and the establishment of a

separate confederation, he knew from unequivocal evidence, although not provable in a court of law ; and that, in the case of a civil war, the aid of Great Britain to effect that purpose would be as surely resorted to, as it would be indispensably necessary to the design.

That these letters of Mr. Adams to Mr. Giles, and to other members of Congress, were read or shown to Mr. Jefferson, he never was informed. They were written, not for communication to him, but as answers to the letters of his correspondents, members of Congress, soliciting his opinion upon measures in deliberation before them, and upon which they were to act. He wrote them as the solicited advice of friend to friend, — both ardent friends to the administration and to their country. He wrote them to give to the supporters of the administration of Mr. Jefferson in Congress, at that crisis, the best assistance, by his information and opinions, in his power. He had certainly no objection that they should be communicated to Mr. Jefferson ; but this was neither his intention nor desire. In one of the letters to Mr. Giles, he repeated an assurance, which he had verbally given him during the preceding session of Congress, that he had for his support of Mr. Jefferson's administration no personal or interested motive, and no favor to ask of him whatever.

That these letters to Mr. Giles were by him communicated to Mr. Jefferson, Mr. Adams believes from the import of this letter from Mr. Jefferson, now first published, and which has elicited this statement. He believes, likewise, that other letters from him to other members of Congress, written during the same session and upon the same subject, were also communicated to him ; and that their contents, after a lapse of seventeen years, were blended confusedly in his memory, — first, with the information given by Mr. Adams to him at their interview in March, 1808, nine months before ; and, next, with events which occurred during the subsequent war, and of which, however natural as a sequel to the information and opinions of Mr. Adams, communicated to him at those two preceding periods, he could not have received the information from him.

## V.

WILLIAM B. GILES TO THE "RICHMOND ENQUIRER."<sup>1</sup>

Oct. 24, 1828.

UNDER the sanction of a correspondence between Judge Stuart and Mr. T. J. Randolph, of the 11th of this month, a letter from Mr. Jefferson to me, of the 25th December, 1825, has been published. The publication did not reach me till the 21st instant. The avowed object of the publication is to counteract the effects of another letter of Mr. Jefferson's to me, of the 26th December, 1825, which I had caused to be published on the 23d September, 1827,—more than twelve months ago. The election of President and Vice-President takes place on the 3d of November next. Is it possible to conceive that Judge Stuart has so far substituted the dark livery of the electioneering spirit for the pure ermine of justice, as to have waited till the eleventh hour to make his explosion for political effect! On this point the public can judge better than myself. How much is the substitution of the electioneering for the judicial spirit to be deprecated on this as on other occasions! And with how much more zeal and solicitude does it seem to inspire its votaries in the discharge of the duties of their opposite functions! This new explosion has imposed upon me, most reluctantly, as in the case of the denunciation of the anti-Jackson convention, a new obligation to appear once more before the public in my own vindication; and I suppose I have to anticipate the same reproaches on this as on that occasion, for condescending to mingle with the newspaper scribblers, as one of the fraternity calls them.

This new explosion has brought forth a contemporaneous exposition at Washington, and in this place,—but, it would

<sup>1</sup> From the "Richmond Enquirer" of the 25th October, 1828.

seem, under very different excitements. The one from Washington seems not to be inspired with the delicious joys and triumphant anticipations with that of Richmond ; nor does it teem with the same malevolent spirit, nor malignant commentaries towards myself. It does not triumphantly call for the reading of Mr. Jefferson's letter on every election day. It understands its contents and bearings too well. It seems to be drawn with a sombre pencil, indeed ; and well it may, for it must lead to the development of a transaction which will necessarily tend to the utter ruin of its author. The Washington *exposé* well deserves consideration ; the Richmond one is deemed unworthy of further notice.

The Washington *exposé* has the authoritative sanction of Mr. Adams himself. It is a paper exhibiting so much human frailty — I fear human depravity — as to excite my astonishment, and to admonish me to observe the extremest caution in the review of the transactions to which it relates, so far as they come within my knowledge. Upon casting my eye over this extraordinary paper, last evening, and observing its anomalous character, the first reflection presented to my mind, from its perusal, was, whether it had actually been written by Mr. Adams himself or his most subservient editors ; and I came to the conclusion, that it had been penned by Mr. Adams himself. Would it not have been more frank and more respectful to have come before the public upon a subject so vitally interesting to himself, under his proper signature, than under an authority given to his editors ? Be that as it may, the *exposé* can be considered in no other light than as an authorized explanation of Mr. Adams's motives for his pretended political conversion. This statement I have called on Mr. Adams, in impressive terms, to make, at least five times heretofore, but unavailing ; when the disclosure of the boasted contents of Mr. Jefferson's letter seems to have produced it in an instant.

## THE WASHINGTON EXPOSÉ.

After the assertion that the following statement was authorized by Mr. Adams, and after some commentary upon the indistinctness of Mr. Jefferson's recollections on several occasions, the following statement is made:—

"It was impossible, *therefore*, that Mr. Adams could have given any information to Mr. Jefferson of negotiations by citizens of Massachusetts with British agents, *during the war*, or having relation to it. *Mr. Adams never had knowledge of any such negotiations.*"

It will be observed that here is a positive declaration: "Mr. Adams never had knowledge of any such negotiations." Now, what says Mr. Jefferson on this point?

"That interview I remember well; not, indeed, in the very words which passed between us, but in their substance, *which was of a character too awful, too deeply engraved in my mind*, and influencing too materially the course I had to pursue, ever to be forgotten. Mr. Adams called on me *pending the embargo*, and while endeavors were making to obtain its repeal. He made some apologies for the call, on the ground of our not being then in the habit of confidential communications, but that which he had then to make involved too seriously the interests of our country not to overrule all other considerations with him, and make it his duty to reveal it to myself particularly. I assured him there was no occasion for any apology for his visit; that, on the contrary, his communications would be thankfully received, and would add a confirmation the more to my entire confidence in the rectitude and patriotism of his conduct and principles. He spoke, then, of the dissatisfaction of the Eastern portion of our confederacy with the restraints of the embargo then existing, and their restlessness under it; that there was nothing which might not be attempted to rid themselves of it; *that he had information, of the most unquestionable certainty, that certain citizens of the Eastern States (I think he named Massachusetts particularly) were in negotiation with agents of the British government, the object of which was an agreement that*

*the New England States should take no further part in the war then going on ; that, without formally declaring their separation from the Union of the States, they should withdraw from all aid and obedience to them ; that their navigation and commerce should be free from restraint or interruption by the British ; that they should be considered and treated by them as neutrals, and as such might conduct themselves towards both parties ; and, at the close of the war, be at liberty to rejoin the confederacy. He assured me that there was eminent danger that the convention would take place ; that the temptations were such as might debauch many from their fidelity to the Union ; and that, to enable its friends to make head against it, the repeal of the embargo was absolutely necessary. I expressed a just sense of the merit of the information, and of the importance of the disclosure to the safety and even salvation of our country ; and, however reluctant I was to abandon the measure," &c.*

It cannot escape notice that Mr. Jefferson here asserts unequivocally, and pledges himself for the correctness of his memory upon that point, however frail he states it to be on subjects of ordinary interest ; "that he (Mr. Adams) assured Mr. Jefferson that he had *information of the most unquestionable certainty, that certain citizens of the Eastern States (I think he named Massachusetts particularly) were in negotiation with agents of the British government, the object of which was that the New England States should take no further part in the war then going on ; that, without formally declaring their separation from the Union of the States, they should withdraw from all aid and obedience to them,"* &c. Here Mr. Jefferson asserts positively, that Mr. Adams had stated to him that he had information that certain citizens were in negotiation with agents of the British government, &c. Mr. Adams now positively denies that he ever had any knowledge of *any such negotiation*. Mr. Jefferson and Mr. Adams, then, are directly at points upon a most important matter of fact, to the truth of which fact Mr. Jefferson most solemnly pledges his memory. What would Mr. Jefferson now say, if living, upon this positive denial by



Mr. Adams of a fact, of the knowledge of which, he had pledged himself to Mr. Jefferson in the most solemn manner, he had the most unquestionable certainty? What does Mr. T. J. Randolph now think of Mr. Adams's veracity, integrity, and patriotism? What does the electioneering judge think of Mr. Adams's principles? What must any man of sound mind think of them? Upon what ground is this denial made? Merely upon the ground of the indistinctness of Mr. Jefferson's memory, in blending the existence of the war and embargo together. "For" (says Mr. Adams), "it was impossible for him to give any information to Mr. Jefferson," &c., "during the war," — relying upon this slip in Mr. Jefferson's memory; but he might very well have given him this information *pending the embargo*, — as, finally, he states he did, *during the embargo*, give him other information of a different character. How does this denial comport with the solemnity with which Mr. Adams opens his communication to Mr. Jefferson? Here, then, it manifestly appears that Mr. Adams rests the grounds of his denial *upon a mere quibble*, arising from indistinctness of Mr. Jefferson's memory, propped up by a "therefore," and not from his own knowledge independently of that aberration of memory, and the "therefore" deducible from it.

The *exposé* proceeds: —

"The interview to which Mr. Jefferson alludes took place on the 15th of March, 1808, pending the embargo, but at the session of Congress before the substitution for it of the Non-intercourse Act. The information given by Mr. Adams to Mr. Jefferson had only an indirect reference even to the embargo, and none to any endeavors for obtaining its repeal. It was the substance of a letter from the Governor of Nova Scotia to a person in the State of Massachusetts, written in the summer of 1807, and before the existence of the embargo; which letter Mr. Adams had seen. It had been shown to him without any injunction of secrecy, and he betrayed no confidence in communicating its purport to Mr. Jefferson. Its object was to countenance and accredit a calumny, then extensively prevailing, among the enemies of Mr. J. and the

opponents of his administration, that he and his measures were subservient to France ; and it alleged that the British government were informed of a plan, determined upon by France, to effect the conquest of the British Provinces on this Continent, and a revolution in the government of the United States, as means to which they were first to produce war between the United States and England. From the fact that the Governor of Nova Scotia had written such a letter to an individual in Massachusetts, connected with other facts and with the movements of the party then predominant in that state, Mr. Adams and Mr. Jefferson drew their inferences, which subsequent events doubtless confirmed ; but which inferences neither Mr. Jefferson nor Mr. Adams then communicated to each other. This was the only confidential interview which, during the administration of Mr. Jefferson, took place between him and Mr. Adams. It took place, first, at the request of Mr. Wilson Cary Nicholas, then a member of the House of Representatives of the United States, — a confidential friend of Mr. Jefferson ; next, of Mr. Robinson, then a Senator from Vermont ; and, lastly, of Mr. Giles, then a Senator from Virginia, — which request is the only intervention of Mr. Giles ever known to Mr. Adams between him and Mr. Jefferson. It is, therefore, not surprising that no such intervention occurred to the recollection of Mr. Jefferson in December, 1825."

In this quotation, Mr. Adams resorts to the expedient of blending his communication respecting a letter from the Governor of Nova Scotia, in relation to the origin of the charge of French influence against the administration, with his most solemn assertion of a knowledge of treasonable negotiations then going on (1807-8) between the New England citizens (Federalists) and certain British agents, — two perfectly distinct subjects. He goes so far as to say that neither himself nor Mr. Jefferson communicated to each other any inferences they respectively drew from the facts he had stated ; but both drew the same inferences, which were afterwards verified. There is not the most distant intimation in Mr. Jefferson's letter of 25th December, 1825, of any communication what-

## IV.

FROM THE "NATIONAL INTELLIGENCER" OF OCT.  
21, 1828.

THE publication of a letter from Mr. Jefferson to Mr. Giles, dated the 25th of December, 1825, concerning a communication made by Mr. Adams to Mr. Jefferson in relation to the embargo of 1807, renders necessary the following statement, which we are authorized by Mr. Adams to make:—

The indistinctness of the recollections of Mr. Jefferson, of which his letter itself feelingly complains, has blended together three distinct periods of time; and the information which he did receive from Mr. Adams, with events which afterwards occurred, and of which Mr. Adams could not have informed him. It fortunately happens that this error is apparent on the face of the letter itself. It says, "Mr. Adams called on me *pending the embargo*, and while endeavors were making to obtain its repeal." He afterwards says that, at this interview, Mr. Adams, among other things, told him that "he had information, of the most unquestionable certainty, that certain citizens of the Eastern States (I think he named Massachusetts particularly) were in negotiation with agents of the British government, the object of which was an agreement that the New England States should *take no further part in the war then going on*," &c.

The embargo was enacted on the 22d of December, 1807, and repealed, by the Non-intercourse Act, on the 1st of March, 1809. The war was declared in June, 1812.

In August, 1809, Mr. Adams embarked for Russia,—nearly three years before the declaration of war,—and did not return to the United States till August, 1817,—nearly three years after the conclusion of the peace.

Mr. Madison was inaugurated President of the United States on the 4th of March, 1809.

It was impossible, therefore, that Mr. Adams could have given any information to Mr. Jefferson of negotiations by

citizens of Massachusetts with British agents, *during the war*, or having relation to it. Mr. Adams never had knowledge of any such negotiations.

The interview to which Mr. Jefferson alludes took place on the 15th of March, 1808, pending the embargo, but at the session of Congress before the substitution for it of the Non-intercourse Act. The information given by Mr. Adams to Mr. Jefferson had only an indirect reference even to the embargo, and none to any endeavors for obtaining its repeal. It was the substance of a letter from the Governor of Nova Scotia to a person in the State of Massachusetts, written in the summer of 1807, and before the existence of the embargo ; which letter Mr. Adams had seen. It had been shown to him without any injunction of secrecy, and he betrayed no confidence in communicating its purport to Mr. Jefferson. Its object was to countenance and accredit a calumny, then extensively prevailing, among the enemies of Mr. Jefferson and the opponents of his administration, that he and his measures were subservient to France ; and it alleged that the British government were informed of a plan, determined upon by France, to effect the conquest of the British Provinces on this continent, and a revolution in the government of the United States ; as means to which, they were first to produce war between the United States and England. From the fact that the Governor of Nova Scotia had written such a letter to an individual in Massachusetts, connected with other facts and with the movements of the party then predominant in that State, Mr. Adams and Mr. Jefferson drew their inferences, which subsequent events doubtless confirmed, but which inferences neither Mr. Jefferson nor Mr. Adams then communicated to each other. This was the only confidential interview which, during the administration of Mr. Jefferson, took place between him and Mr. Adams. It took place, first, at the request of Mr. Wilson Cary Nicholas, then a member of the House of Representatives of the United States, a confidential friend of Mr. Jefferson ; next, of Mr. Robinson, then a Senator from Vermont ; and lastly, of Mr. Giles, then a Senator from Virginia ; which request is the only intervention of Mr. Giles ever known to Mr. Adams between him

and Mr. Jefferson. It is, therefore, not surprising that no such intervention occurred to the recollection of Mr. Jefferson in December, 1825.

This interview was in March, 1808. In May of the same year Mr. Adams resigned his seat in the Senate of the United States.

At the next session of Congress, which commenced in November, 1808, Mr. Adams was a private citizen, residing at Boston. The embargo was still in force, operating with extreme pressure upon the interests of the people, and was wielded as a most effective instrument, by the party prevailing in the State, against the administration of Mr. Jefferson. The people were constantly instigated to forcible resistance against it; and juries after juries acquitted the violators of it, upon the ground that it was unconstitutional, assumed in the face of a solemn decision of the District Court of the United States. A separation of the Union was openly stimulated in the public prints; and a convention of delegates of the New England States, to meet at New Haven, was intended and proposed.

Mr. Giles, and several other members of Congress, during this session, wrote to Mr. Adams confidential letters, informing him of the various measures proposed as re-enforcements or substitutes for the embargo, and soliciting his opinions upon the subject. He answered those letters with frankness, and in confidence. He earnestly recommended the substitution of the non-intercourse for the embargo; and, in giving his reasons for this preference, was necessarily led to enlarge upon the views and purposes of certain leaders of the party, which had the management of the State legislature in their hands. He urged that a continuance of the embargo much longer would certainly be met by forcible resistance, supported by the legislature, and probably by the judiciary, of the State; that, to quell that resistance, if force should be resorted to by the government, it would produce a civil war; and that, in that event, he had no doubt the leaders of the party *would* secure the co-operation with them of Great Britain; that their object was, and had been for several years, a dissolution of the Union, and the establishment of a

separate confederation, he knew from unequivocal evidence, although not provable in a court of law ; and that, in the case of a civil war, the aid of Great Britain to effect that purpose would be as surely resorted to, as it would be indispensably necessary to the design.

That these letters of Mr. Adams to Mr. Giles, and to other members of Congress, were read or shown to Mr. Jefferson, he never was informed. They were written, not for communication to him, but as answers to the letters of his correspondents, members of Congress, soliciting his opinion upon measures in deliberation before them, and upon which they were to act. He wrote them as the solicited advice of friend to friend, — both ardent friends to the administration and to their country. He wrote them to give to the supporters of the administration of Mr. Jefferson in Congress, at that crisis, the best assistance, by his information and opinions, in his power. He had certainly no objection that they should be communicated to Mr. Jefferson ; but this was neither his intention nor desire. In one of the letters to Mr. Giles, he repeated an assurance, which he had verbally given him during the preceding session of Congress, that he had for his support of Mr. Jefferson's administration no personal or interested motive, and no favor to ask of him whatever.

That these letters to Mr. Giles were by him communicated to Mr. Jefferson, Mr. Adams believes from the import of this letter from Mr. Jefferson, now first published, and which has elicited this statement. He believes, likewise, that other letters from him to other members of Congress, written during the same session and upon the same subject, were also communicated to him ; and that their contents, after a lapse of seventeen years, were blended confusedly in his memory, — first, with the information given by Mr. Adams to him at their interview in March, 1808, nine months before ; and, next, with events which occurred during the subsequent war, and of which, however natural as a sequel to the information and opinions of Mr. Adams, communicated to him at those two preceding periods, he could not have received the information from him.

wrote to him confidential letters, informing him of the various measures proposed as re-enforcements or substitutes for the embargo ; and, soliciting his opinions upon the subject, he answered these letters with frankness and in confidence ! When I first saw this unequivocal assertion of Mr. Adams, unattended with any mental reservation whatever, and when there was not the slightest trace upon my memory of the recollection of any such correspondence, I was struck with wonder and amazement, as well as with other mingled emotions ; and I put my memory up to its best efforts in trying to trace some such recollection, but found no vestige thereof ; and I now assert that I do not believe that any such correspondence ever took place. If Mr. Adams should be in possession of such confidential letters from me, I now call most earnestly upon him to exhibit them to the public. I am told Mr. Adams is peculiarly methodical in his business, and careful in the preservation of all letters addressed to him. He certainly must have retained mine upon a subject then so interesting to the nation, if he ever received them. I beg him, if in possession of any such confidential letters from me, or of a letter of any kind, to abandon all scruples imposed by the confidence asserted, and forthwith to publish them. If he should do so, it will afford a demonstration that one important characteristic transaction of my life has entirely escaped my recollection, leaving not the shadow of a shade behind. I pretend not to any infallibility of memory ; but I deem it next to an impossibility that the impression of any such transaction, if once made, should ever have been completely eradicated from it.

As to Mr. Adams's confidential letters to me, written, as he says, "as the solicited advice of friend to friend," I have no more recollection of them than of those said by him to have been written by myself ; nor do I believe any such letters were ever written. I am, myself, careful in the preservation of all letters of interest addressed to me, and I have no recollection of ever having seen any such letter in my bureau. I have now, I believe, several able and eloquent letters from Mr. Adams's father, written after his retirement from public

life; but none of any description, as I believe, from Mr. Adams himself. What, then, must have been my emotions, when I first beheld these unequivocal declarations on the part of Mr. Adams!! Could it be believed that Mr. Adams had intrepidly invented the extraordinary tale to screen himself from imputations he could not otherwise avoid!!! Could I believe myself to have been an active agent in such an interesting scene, and that all traces of it had escaped my memory!!! It really would afford me pleasure now to raise a doubt in my mind, to relieve me from the first conclusion; and I have put my memory to the severest trial for that purpose, but in vain. I find nothing to doubt upon the subject. I hope and trust that Mr. Adams's memory has failed him on this occasion; and that it will not turn out to be a mere invented tale, with a vain hope of extricating himself from a most awful dilemma. But, independently of my own want of memory, I have the recollection of many circumstances (some of them on record) to prove that no such correspondence ever did take place. It will be first observed, that there is not the most distant intimation in the correspondence between Mr. Jefferson and myself, of any correspondence whatever between Mr. Adams and any other person. No intimation of the contents of any such letters having been shown Mr. Jefferson by myself, nor any person whatever. It cannot escape recollection that, from my extreme reluctance to give the information myself, my letter to Mr. Jefferson was intended merely to refresh his memory upon a transaction at a distant day; that my statement was not to be laid before the public, but Mr. Jefferson's, in reply to my inquiries, of which he was frankly apprised in my letter to him. I could not, therefore, have had the smallest possible inducement to make any other statement to him than that which I believed to be correct. But Mr. Adams alleges that his advice was called for, in these confidential letters, respecting the repeal of the embargo; and that he was compelled, in reply, to go into the statement of the facts respecting the intended separation of the Union, and seems to intend to set up some claim to the credit of that measure.



Mr. Adams's memory seems to be a perfect blank in regard to the circumstances attending the repeal of the embargo, if, indeed, he ever was informed of them; the mere recital of which must exclude all ideas of his having any agency in it whatever. The repeal of the embargo never was recommended by Mr. Jefferson. It was determined upon by a caucus composed of all the Republican members of both Houses of Congress. The resolution was brought forward by myself; and, at a second meeting, agreed to, upon condition that it should be brought before the Senate as my own measure, as I had brought it forward to the caucus. To this I readily consented; and it will be seen from my speech, delivered in favor of the resolution, that I assumed the whole responsibility of the measure. I will endeavor to have this speech published, or at least its exordium, with as little delay as possible. The debate on the resolution would throw much light on this subject. The resolution made by myself will appear in the journals of the Senate of the 8th of February, 1809, and is in the following words: —

“Mr. Giles submitted the following resolution for consideration :  
‘Resolved, that the several laws laying an embargo on all ships and vessels in the ports and harbors of the United States be repealed on the 4th day of March next, except as to Great Britain and France and their dependencies; and that provision be made, by law, for prohibiting all commercial intercourse with those nations and their dependencies, and the importation of any article into the United States, the growth, produce, or manufacture of either of said nations, or of the dominions of either of them.’

“Mr. Giles also submitted the following motion for consideration :  
‘Resolved, that provision ought to be made, by law, for interdicting all foreign armed ships from the waters of the United States.’ ”

This resolution was adopted by the Senate on the 14th, as will appear from the following extract of the journals of that day: —

“The Senate resumed the consideration of the motion made the 8th instant : ‘That the several laws laying an embargo on all ships and vessels in the ports and harbors of the United States be repealed on the 4th day of March next, except as to Great Britain and France, and their

dependencies; and that provision be made, by law, for prohibiting all commercial intercourse with those nations and their dependencies, and the importation of any article into the United States, the growth, produce, or manufacture of either of the said nations, or of the dominions of either of them.'

"On motion by Mr. Bayard, to strike out the following words: 'except as to Great Britain and France and their dependencies; and that provision ought to be made, by law, for prohibiting all commercial intercourse with those nations and their dependencies, and the importation of any article into the United States, the growth, produce, or manufacture of either of the said nations, or of the dominions of either of them,'—

"It was determined in the negative: Yeas, 8; nays, 23.

"The yeas and nays having been required by one-fifth of the Senators present, those who voted in the affirmative are Messrs. Bayard, Gilman, Goodrich, Hillhouse, Lloyd, Parker, Pickering, White.

"Those who voted in the negative are, Messrs. Anderson, Condit, Crawford, Franklin, Gaillard, Giles, Gregg, Howland, Kitchel, Leib, Mathewson, Milledge, Mitchill, Moore, Pope, Reed, Smith of Maryland, Smith of New York, Smith of Tennessee, Sumter, Thruston, Tiffin, Turner.

"On motion by Mr. Hillhouse,

"To postpone the further consideration of the motion,

"It passed in the negative.

"On the question to agree to the original motion,

"It was determined in the affirmative: Yeas, 22; nays, 9.

"The yeas and nays having been required by one-fifth of the Senators present, those who voted in the affirmative are Messrs. Anderson, Condit, Crawford, Franklin, Gaillard, Giles, Gregg, Howland, Kitchel, Leib, Mathewson, Milledge, Mitchill, Moore, Pope, Reed, Smith of Maryland, Smith of New York, Smith of Tennessee, Sumter, Thruston, Tiffin.

"Those who voted in the negative are Messrs. Bayard, Gilman, Goodrich, Hillhouse, Lloyd, Parker, Pickering, Turner, White.

"Ordered, that Mr. Giles, Mr. Smith of Maryland, and Mr. Crawford be the committee to bring in a bill accordingly."

Conformably to the resolutions adopted, and the appointment of a committee, I reported a bill for carrying the principles of the resolutions into effect: "To interdict the commercial intercourse," &c.: containing a pledge, that, in case of one of the belligerents accepting the overture made to both, the other refusing, letters of marque and reprisal should be issued against the refusing nation; which was taken up

on the 20th February, when the following proceedings were held : —

“ The bill to interdict the commercial intercourse between the United States and Great Britain and France and their dependencies, and for other purposes, was read the second time, and considered as in committee of the whole; and the President reported the bill to the House amended.

“ On motion by Mr. Reed,

“ To strike out of the fourteenth section, the following words: ‘ And to cause to be issued, under suitable pledges and precautions, letters of marque and reprisal against the nation thereafter continuing in force its unlawful edicts against the commerce of the United States,’ —

“ It was determined in the negative: Yeas, 11; nays, 14.

“ The yeas and nays having been required by one-fifth of the Senators present, those who voted in the affirmative are Messrs. Condit, Mathewson, Franklin, Gilman, Goodrich, Hillhouse, Lloyd, Parker, Pickering, Reed, Sumter.

“ Those who voted in the negative are Messrs. Anderson, Crawford, Gaillard, Giles, Gregg, Howland, Milledge, Moore, Robinson, Smith of Maryland, Smith of New York, Smith of Tennessee, Tiffin, Turner.

“ And, the bill having been further amended,

“ On the question, ‘ Shall this bill be engrossed and read a third time as amended?’ —

“ It was determined in the affirmative.”

Such are some of the most material circumstances attending the repeal of the embargo.

It was urged, too, upon my motion at a caucus consisting of at least one hundred and fifty members of Congress. Surely, if such correspondence had taken place, it would have been laid before the caucus; and surely some one present would recollect its production and its influence, at that meeting. As for myself, I have no recollection whatever of the introduction of any such correspondence. It was well known at that day, that, although I supported the embargo, it never was a favorite measure of mine; and that I always insisted that it should be substituted by some more efficient measure when it had been sufficiently tried, and failed of its objects. I therefore brought that measure from my own views of its propriety and efficiency, substituting a pledge to issue letters of marque and reprisal against the belligerent nation rejecting a just overture to both, the other accepting.

I have no time now for further remarks. I shall proceed with a farther explanation of this most extraordinary *exposé*, and a farther development of other interesting facts connected with it,<sup>1</sup>—a paper ushered forth to the world, in my judgment, in utter disregard of every dictate of common sense, of common discretion, and, I fear, of common respect for truth.

WILLIAM B. GILES.

<sup>1</sup> The subsequent papers of Mr. Giles are omitted as immaterial, and as unnecessarily swelling the size of this volume.

## VI.

## TO THE HON. JOHN QUINCY ADAMS.

BOSTON, Nov. 26, 1828.

SIR, — The undersigned, citizens of Massachusetts, residing in Boston and its vicinity, take the liberty of addressing you on the subject of a statement published in the "National Intelligencer" of the 21st of October, and which purports to have been communicated or authorized by you.

In that statement, after speaking of those individuals in this State whom the writer designates as "certain leaders or the party which had the management of the State legislature in their hands" in the year 1808, and saying that, in the event of a civil war, he (Mr. Adams) "had no doubt the leaders of the party would secure the co-operation with them of Great Britain," it is added, "that their object was, and had been for several years, a dissolution of the Union, and the establishment of a separate confederation, he knew from unequivocal evidence, although not provable in a court of law."

This, sir, is not the expression of an opinion as to the nature and tendency of the measures at that time publicly adopted, or proposed, by the party prevailing in the State of Massachusetts. Every citizen was at liberty to form his own opinions on that subject; and we cheerfully submit the propriety of those measures to the judgment of an impartial posterity. But the sentence which we have quoted contains the assertion of a distinct fact, as one within your own knowledge. We are not permitted to consider it as the unguarded expression of irritated feelings, hastily uttered at a time of great political excitement. Twenty years have elapsed since this charge was first made, in private correspondence with certain members of Congress; and it is now deliberately repeated, and brought before the public under the sanction of your name, as being founded on unequivocal evidence within your knowledge.

We do not claim for ourselves, nor even for those deceased friends whose representatives join in this address, the title of leaders of any party in Massachusetts; but we were associated in politics with the party prevailing here at the period referred to in the statement above mentioned, some of us concurred in all the measures adopted by that party; and we all warmly approved and supported those measures. Many of our associates who still survive are dispersed throughout Massachusetts and Maine, and could not easily be convened to join us on the present occasion. We trust, however, that you will not question our right, if not for ourselves alone, at least in behalf of the highly valued friends with whom we acted at that time, and especially of those of them who are now deceased, respectfully to ask from you such a full and precise statement of the facts and evidence relating to this accusation as may enable us fairly to meet and answer it.

The object of this letter, therefore, is to request you to state, —

First, Who are the persons designated as leaders of the party prevailing in Massachusetts in the year 1808, whose object, you assert, was, and had been for several years, a dissolution of the Union, and the establishment of a separate confederation? and, —

Secondly, The whole evidence on which that charge is founded.

It is admitted in the statement of the charge that it is not provable in a court of law, and, of course, that you are not in possession of any legal evidence by which to maintain it. The evidence, however, must have been such as in your opinion would have been pronounced unequivocal by upright and honorable men of discriminating minds; and we may certainly expect from your sense of justice and self-respect a full disclosure of all that you possess.

A charge of this nature, coming as it does from the first magistrate of the nation, acquires an importance which we cannot affect to disregard; and it is one which we ought not to leave unanswered. We are, therefore, constrained by a regard to our deceased friends and to our posterity, as well

as by a sense of what is due to our own honor, most solemnly to declare that we have never known nor suspected that the party which prevailed in Massachusetts in the year 1808, or any other party in this State, ever entertained the design to produce a dissolution of the Union, or the establishment of a separate confederation. It is impossible for us in any other manner to refute, or even to answer, this charge, until we see it fully and particularly stated, and know the evidence by which it is to be maintained.

The undersigned think it due to themselves to add that, in making this application to you, they have no design nor wish to produce an effect on any political party or question whatever; neither is it their purpose to enter into a vindication or discussion of the measures publicly adopted and avowed by the persons against whom the above charge has been made. Our sole object is to draw forth all the evidence on which that charge is founded, in order that the public may judge of its application and its weight.

We are, sir, with due respect,

Your obedient servants,

H. G. OTIS.

CHARLES JACKSON.

ISRAEL THORNDIKE.

WARREN DUTTON. ✓

T. H. PERKINS.

BENJ. PICKMAN. ✓

WM. PRESCOTT.

HENRY CABOT,

*Son of the late George Cabot.*

DANIEL SARGENT.

C. C. PARSONS,

*Son of Theophilus Parsons, Esq., deceased. ✓*

JOHN LOWELL.

FRANKLIN DEXTER,

*Son of the late Samuel Dexter.*

WM. SULLIVAN.

## VII.

WASHINGTON, Dec. 30, 1828.

**MESSE. H. G. OTIS, ISRAEL THORNDIKE, T. H. PERKINS, WILLIAM PRESCOTT, DANIEL SARGENT, JOHN LOWELL, WILLIAM SULLIVAN, CHARLES JACKSON, WARREN DUTTON, BENJAMIN PICKMAN, HENRY CABOT, C. C. PARSONS, and FRANKLIN DEXTER.**

GENTLEMEN, — I have received your letter of the 26th ult., and recognizing among the signatures to it names of persons for whom a long, and on my part uninterrupted, friendship has survived all the bitterness of political dissension, it would have afforded me pleasure to answer with explicitness and candor, not only those persons, but each and every one of you, upon the only questions in relation to the subject-matter of your letter, which, as men or as citizens, I can acknowledge your right to ask; namely, whether the interrogator was himself one of the persons intended by me in the extract which you have given from a statement authorized by me, and published in the "National Intelligencer" of 21st October last.

Had you, or either of you, thought proper to ask me this question, it would have been more satisfactory to me to receive the inquiry separately from each individual, than arrayed in solid phalanx; each responsible, not only for himself, but for all the others. The reasons for this must be so obvious to persons of your intelligence that I trust you will spare me the pain of detailing them.

But, gentlemen, this is not all: you undertake your inquisition, not in your own names alone, but as the representatives of a great and powerful party, dispersed throughout the States of Massachusetts and Maine, — a party commanding, at the time to which your inquiries refer, a devoted majority in the legislature of the then United Commonwealth; and even now, if judged of by the character of its volunteer delegation, of great influence and respectability.

I cannot recognize you, on this occasion, as the representa-



tives of that party, for two reasons: first, because you have neither produced your credentials for presenting yourselves as their champions, nor assigned satisfactory reasons for presenting yourselves without them; but, secondly and chiefly, because your introduction of that party into this question is entirely gratuitous. Your solemn declaration that you do not know that the Federal, or any other party, at the time to which my statement refers, intended to produce a dissolution of the Union and the formation of a new confederacy, does not take the issue, which your own statement of my charge (as you are pleased to consider it) had tendered. The statement authorized by me spoke, not of the Federal party, but of *certain leaders* of that party. In my own letters to the members of Congress who did me the honor at that agonizing crisis to our national Union of soliciting my confidential opinions upon measures under deliberation, I expressly acquitted the great body of the Federal party, not only of participating in the secret designs of those leaders, but even of being privy to or believing in their existence. I now cheerfully repeat that declaration. I well know that the party were not prepared for that convulsion to which the measures and designs of their leaders were instigating them; and my extreme anxiety for the substitution of the non-intercourse for the embargo arose from the imminent danger that the continuance and enforcement of this latter measure would promote the views of those leaders, by goading a majority of the people and of the legislature to the pitch of physical resistance, by State authority, against the execution of the laws of the Union, — the only effectual means by which the Union could be dissolved. Your modesty has prompted you to disclaim the character of *leaders* of the Federal party at that time. If I am to consider this as more than a mere disavowal of form, I must say that the charge — which, I lament to see, has excited so much of your sensibility — had no reference to any of you.

Your avowed object is controversy. You call for a precise statement of facts and evidence, — not affecting, so far as you know, any one of you, but to enable you fairly to meet and to answer it.

And you demand, —

1. Who are the persons designated as leaders of the party prevailing in Massachusetts in the year 1808, whose object I assert was, and had been for several years, a dissolution of the Union, and the establishment of a separate confederacy? and,

2. The whole evidence on which that charge is founded.

You observe that it is admitted in the statement of the charge that it is not provable in a court of law; and your inference is, that I am of course not in possession of any legal evidence by which to maintain it. Yet you call upon me to name the persons affected by the charge, — a charge, in your estimate, deeply stigmatizing upon those persons; and you permit yourselves to remind me that my sense of justice and self-respect oblige me to disclose all that I do possess. My sense of justice to you, gentlemen, induces me to remark, that I leave your self-respect to the moral influences of your own minds, without presuming to measure it by the dictation of mine.

Suppose, then, that, in compliance with your call, I should name one, two, or three persons as intended to be included in the charge. Suppose neither of those persons to be one of you. You, however, have given them notice that I have no evidence against them by which the charge is provable in a court of law; and you know that I, as well as yourselves, am amenable to the laws of the land. Does your self-respect convince you that the persons so named, if guilty, would furnish the evidence against themselves which they have been notified that I do not possess? Are you sure that the correspondence which would prove their guilt may not in the lapse of twenty-five years have been committed to the flames? In these days of failing and of treacherous memories, may they not have forgotten that any such correspondence ever existed? And have you any guarantee to offer that I should not be called, by a summons more imperative than yours, to produce in the temple of justice the proof which you say I have not, or be branded for a foul and malignant slanderer of spotless and persecuted virtue? Is it not, besides, imaginable

that persons may exist who, though twenty-five years since driven in the desperation of disappointment to the medication and preparation of measures tending to the dissolution of the Union, perceived afterwards the error of their ways, and would now gladly wash out from their own memories their participation in projects upon which the stamp of indelible reprobation has passed? Is it not possible that some of the conspirators have been called to account before a higher than an earthly tribunal for all the good and evil of their lives and whose reputations might now suffer needlessly by the disclosure of their names? I put these cases to you, gentlemen, as possible, to show you that neither my sense of justice nor my self-respect does require of me to produce the evidence for which you call, or to disclose the names of persons for whom you have and can have no right to speak.

These considerations appear, indeed, to me so forcible, that it is not without surprise that I am compelled to believe they had escaped your observation. I cannot believe of any of you that which I am sure never entered the hearts of some of you, — that you should have selected the present moment for the purpose of drawing me into a controversy, not only with yourselves, but with others, you know not whom; or daring me to the denouncement of names which twenty years since I declined committing to the ear of confidential friendship, and to the production of evidence which, though perfectly satisfactory to my own mind, and perfectly competent for the foundation of honest and patriotic public conduct was adequate in a court of law neither to the conviction of the guilty nor to the justification of the accuser, and so explicitly pronounced by myself.

You say that you have no design nor wish to produce an effect on any political party or question whatever, nor to enter into a vindication of the measures publicly adopted and avowed by the persons against whom the above charge has been made. But *can* you believe that this subject could be discussed between you and me, as you propose, when calling upon me for a statement, with the avowed intention of refuting it, and *not* produce an effect on *any political party or ques-*

tion? With regard to the public measures of those times and the succeeding, — which you declare to have had your sanction and approbation, — it needs no disclosure now that a radical and irreconcilable difference of opinion between most of yourselves and me existed. And can you suppose that, in disclosing names and stating facts, known, perhaps, only to myself, I could consent to separate them from those public measures which you so cordially approved, and which I so deeply lamented? Must your own defence against these charges for ever rest exclusively upon a solemn protestation against the natural inference from the irresistible tendency of action to the secret intent of the actor? That a statesman who believes in human virtue should be slow to draw this inference against such solemn asseverations, I readily admit; but for the regulation of the conduct of human life, the rules of evidence are widely different from those which receive or exclude testimony in a court of law. Even there, you know that violent presumption is equivalent, in cases affecting life itself, to positive proof; and in a succession of political measures through a series of years, all tending to the same result, there is an *internal* evidence against which mere denial, however solemn, can scarcely claim the credence even of the charity that believeth all things.

Let me add, that the statement authorized by me, as published in the "National Intelligencer," was made, not only without the intention, but without the most distant imagination, of offending you or of injuring any one of you; but, on the contrary, for the purpose of expressly disavowing a charge which was before the public, sanctioned with the name of the late Mr. Jefferson, imputing to certain citizens of Massachusetts treasonable negotiations with the British government *during the war*, and expressly stating that he had received information of this FROM ME. On the publication of this letter, I deemed it indispensably due to myself, and to all the citizens of Massachusetts, not only to deny having ever given such information, but all knowledge of such a fact; and the more so because that letter had been published, though without my knowledge, yet (I was well assured) from motives of justice

and kindness to me. It contained a declaration by Mr. Jefferson himself, frank, explicit, and true, of the character of the motives of my conduct, in all the transactions of my intercourse with him, during the period of the embargo. This was a point upon which his memory could not deceive him; a point upon which he was the best of witnesses; and his testimony was the more decisive because given at a moment as it would seem, of great excitement against me upon different views of public policy even then in conflict and producing great exacerbation in his mind. The letter contained, also, a narrative of a personal interview between himself and me, in March, 1808; and stated that I had then given him information of facts which induced him to consent to the substitution of the non-intercourse for the embargo; and also that I had apprised him of this treasonable negotiation by citizens of Massachusetts to secede from the Union during the war and perhaps rejoin after the peace. Now, the substitution of the non-intercourse for the embargo took place twelve months after this interview, and at a succeeding session of Congress when I was not even a member of that body. The negotiation for seceding from the Union with a view to rejoin it afterwards, if it ever existed, must have been during the war. I had no knowledge of such negotiation, or even of such a design. I could, therefore, have given no such information.

But, in giving an unqualified denial to this statement of Mr. Jefferson, and in showing that, upon the face of the letter itself, it could not be correct, it was due to him to show that the misstatement on his part was not intentional; that it arose from an infirmity of memory, which the letter itself candidly acknowledged; that it blended together, in one indistinct mass, the information which I had given him in March, 1808 with the purport of confidential letters which I had written to his and my friends in Congress a year after, and with events, projects, and perhaps mere suspicions, natural enough as consequences of the preceding times, but which occurred, if at all, from three to six years later, and of which he could not have had information from me. The simple fact of which I apprised Mr. Jefferson was, that, in the summer of 1807,

about the time of what was sometimes called the *affair* of the "Leopard" and the "Chesapeake," I had seen a letter from the Governor of Nova Scotia to a person in Massachusetts, affirming that the British government had certain information of a plan by that of France to conquer the British possessions, and effect a revolution in the United States, by means of a war between them and Great Britain. As the United States and Great Britain were, in 1807, at peace, a correspondence with the Governor of Nova Scotia, held by any citizen of the United States, imported no violation of law; nor could the correspondent be responsible for any thing which the Governor might write. But my inferences from this fact were, that there existed between the British government and the party in Massachusetts opposed to Mr. Jefferson a channel of communication through the Governor of Nova Scotia, which *he* was exercising to inflame their hatred against France and their jealousies against their own government. The letter was not to any leader of the Federal party; but I had no doubt it had been shown to some of them, as it had been to me, without injunction of secrecy, and, as I supposed, with a view to convince me that this conspiracy between Napoleon and Mr. Jefferson really existed. How that channel of communication might be further used was matter of conjecture; for the mission of Mr. John Henry was nine months after my interview with Mr. Jefferson, and precisely at the time when I was writing to my friends in Congress the letters urging the substitution of the non-intercourse for the embargo. Of Mr. Henry's mission I knew nothing, till it was disclosed by himself in 1812.

It was in these letters of 1808 and 1809 that I mentioned the design of *certain leaders* of the Federal party to effect a dissolution of the Union, and the establishment of a Northern confederacy. This design had been formed in the winter of 1803-4, immediately after, and as a consequence of, the acquisition of Louisiana. Its justifying causes to those who entertained it were: That the annexation of Louisiana to the Union transcended the constitutional powers of the government of the United States; that it formed, in fact, a new

confederacy, to which the States, united by the former compact, were not bound to adhere; that it was oppressive to the interests and destructive to the influence of the Northern section of the confederacy, whose right and duty it therefore was to secede from the new body politic, and to constitute one of their own. This plan was so far matured that the proposal had been made to an individual to permit himself, at the proper time, to be placed at the head of the military movements which, it was foreseen, would be necessary for carrying it into execution. In all this there was no overt act of treason. In the abstract theory of our government, the obedience of the citizen is not due to an unconstitutional law: he may lawfully resist its execution. If a single individual undertakes this resistance, our constitutions, both of the United States and of each separate State, have provided a judiciary power, judges, and juries, to decide between the individual and the legislative act which he has resisted as unconstitutional. But let us suppose the case that legislative acts of one or more States of this Union are passed, conflicting with acts of Congress, and commanding the resistance of their citizens against them, and what else can be the result but war, — civil war? And is not that, *de facto*, a dissolution of the Union, so far as the resisting States are concerned? And what would be the condition of every citizen in the resisting States? Bound by the double duty of allegiance to the Union and to the State, he would be crushed between the upper and the nether millstone, with the performance of every civic duty converted into a crime, and guilty of treason by every act of obedience to the law.

That the power of annexing Louisiana to this Union had not been delegated to Congress by the Constitution of the United States was my own opinion, and it is recorded upon the journals of the Senate, of which I was then a member. But, far from thinking the act itself a justifying cause for secession from the Union, I regarded it as one of the happiest events which had occurred since the adoption of the Constitution. I regretted that an accidental illness in my family, which detained me on my way to Washington to take my seat

in the Senate, deprived me of the power of voting for the ratification of the treaties by which the cession was secured. I arrived at Washington on the fourth day of the session of Congress, and, on entering the city, passed by the Secretary of the Senate, who was going from the Capitol to the President's house, with the advice and consent of that body to the ratification.

I took my seat in the Senate the next day. Bills were immediately brought into Congress, making appropriations to the amount of fifteen millions of dollars for carrying the convention into effect, and for enabling the President to take possession of the ceded territory. These measures were opposed by all the members of the Senate, who had voted against the ratifications of the conventions. They were warmly and cordially supported by me. I had no doubt of the constitutional power to make the treaties. It is expressly delegated in the Constitution. The power of making the stipulated payment for the cession, and of taking possession of the ceded territory, was equally unquestioned by me: they were constructive powers, but I thought them fairly incidental, and necessarily consequent upon the power to make the treaty. But the power of annexing the inhabitants of Louisiana to the Union, of conferring upon them, in a mass, all the rights, and requiring of them all the duties, of citizens of the United States, it appeared to me, had not been delegated to Congress by the people of the Union, and could not have been delegated by them, without the consent of the people of Louisiana themselves. I thought they required an amendment to the Constitution, and a vote of the people of Louisiana; and I offered to the Senate resolutions for carrying both those measures into effect, which were rejected.

It has been recently ascertained, by a letter from Mr. Jefferson to Mr. Dunbar, written in July, 1803, after he had received the treaties, and convened Congress to consider them, that, in his opinion, the treaties could not be carried into effect without an amendment to the Constitution; and that the proposal for such an amendment would be the first measure adopted by them at their meeting. Yet Mr. Jeffer-



son, President of the United States, did approve the acts of Congress, assuming the power which he had so recently thought not delegated to them, and, as the Executive of the Union, carried them into execution.

Thus Mr. Jefferson, President of the United States, the Federal members of Congress, who opposed and voted against the ratification of the treaties, and myself, all concurred in the opinion, that the Louisiana cession treaties transcended the constitutional powers of the government of the United States. But it was, after all, a question of constructive power. The power of making the treaty was expressly given without limitation. The sweeping clause, by which all powers necessary and proper for carrying into effect those expressly delegated, *may* be understood as unlimited. It is to be presumed that, when Mr. Jefferson approved and executed the acts of Congress, assuming the doubtful power, he had brought his mind to acquiesce in this somewhat latitudinarian construction. I opposed it as long and as far as my opposition could avail. I acquiesced in it, after it had received the sanction of all the organized authority of the Union, and the tacit acquiescence of the people of the United States and of Louisiana. Since which time, so far as this precedent goes, and no farther, I have considered the question as irrevocably settled.

But, in reverting to the fundamental principle of all our constitutions, that obedience is *not* due to an unconstitutional law, and that its execution may be lawfully resisted, you must admit that, had the laws of Congress for annexing Louisiana to the Union been resisted, by the authority of one or more States of the then existing confederacy, as *unconstitutional*, that resistance might have been carried to the extent of dissolving the Union, and of forming a new confederacy; and that, if the consequences of the cession had been so oppressive upon New England and the North, as was apprehended by the *Federal leaders*, to whose conduct at that time all these observations refer, the project which they did then form of severing the Union, and establishing a Northern confederacy would, in their application of the

abstract principle to the existing state of things, have been justifiable. In *their* views, therefore, I impute to them nothing which it could be necessary for them to disavow; and, accordingly, these principles were distinctly and explicitly avowed, eight years afterwards, by my excellent friend, Mr. Quincy, in his speech upon the admission of Louisiana, as a State, into the Union. Whether he had any knowledge of the practical project of 1803-4, I know not; but the argument of his speech, in which he referred to my recorded opinions upon the constitutional power, was an eloquent exposition of the justifying causes of that project, as I had heard them detailed at the time. That project, I repeat, had gone to the length of fixing upon a military leader for its execution; and, although the circumstances of the times never admitted of its execution, nor even of its full development, I had yet no doubt, in 1808 and 1809, and have no doubt at this time, that it is the key to all the great movements of these leaders of the Federal party in New England, from that time forward, till its final catastrophe in the Hartford Convention.

Gentlemen, I observe among the signers of your letter the names of two members of that Convention, together with that of the son of its president. You will not understand me as affirming that either of you was privy to this plan of military execution, in 1804. That may be known to yourselves, and not to me. A letter of your first signer, recently published, has disclosed the fact, that he, although the putative, was not the real, father of the Hartford Convention. As he, who has hitherto enjoyed, unrivalled, the honors, is now disposed to bestow upon others the shame of its paternity, may not the ostensible and the real character of other incidents attending it be alike diversified, so that the main and ultimate object of that assembly, though beaming in splendor from its acts, was yet in dim eclipse to the vision of its most distinguished members?

However this may be, it was this project of 1803-4, which, from the time when I first took my seat in the Senate of the United States, alienated me from the secret councils of

those leaders of the Federal party. I was never initiated in them. I approved and supported the acquisition of Louisiana; and, from the first moment that the project of separation was made known to me, I opposed to it a determined and inflexible resistance.

It is well known to some of you, gentlemen, that the cession of Louisiana was not the first occasion upon which my duty to my country prescribed to me a course of conduct different from that which would have been dictated to me by the leaders and the spirit of party. More than one of you were present at a meeting of members of the Massachusetts legislature on the 27th of May, 1802, the day after I first took my seat as a member of that legislature. A proposal then made by me, to admit to the council of the Commonwealth a proportional representation of the minority as it existed in the two Houses, has, I trust, not been forgotten. It was the first act of my legislative life; and it marked the principle by which my whole public career has been governed, from that day to this. My proposal was unsuccessful, and perhaps it forfeited whatever confidence might have been otherwise bestowed upon me as a party follower. My conduct in the Senate of the United States, with regard to the Louisiana cession, was not more acceptable to the leaders of the Federal party; and some of you may perhaps remember that it was not suffered to pass without notice or censure, in the public Federal journals of the time.

With regard to the project of a separate Northern confederacy, formed in the winter of 1803-4, in consequence of the Louisiana cession, it is not to me that you must apply for copies of the correspondence in which it was contained. To that and to every other project of disunion, I have been constantly opposed. My principles do not admit the right even of the people, still less of the legislature of any one State in the Union, to secede at pleasure from the Union. No provision is made for the exercise of this right, either by the Federal or any of the State constitutions. The act of exercising it presupposes a departure from the principle of compact, and a resort to that of force.

If, in the exercise of their respective functions, the legislative, executive, and judicial authorities of the Union on one side, and of one or more States on the other, are brought into direct collision with each other, the relations between the parties are no longer those of constitutional right, but of independent force. Each party construes the common compact for itself. The constructions are irreconcilable together. There is no umpire between them, and the appeal is to the sword, — the ultimate arbiter of right between independent States, but not between the members of one body politic. I therefore hold it as a principle, without exception, that, whenever the constituted authorities of a State authorize resistance to any act of Congress, or pronounce it unconstitutional, they do thereby declare themselves and their State *quoad hoc* out of the pale of the Union. That there is no supposable case in which the *people* of a State might place themselves in this attitude, by the primitive right of insurrection against oppression, I will not affirm; but they have delegated no such power to their legislatures or their judges; and, if there be such a right, it is the right of an individual to commit suicide, — the right of an inhabitant of a populous city to set fire to his own dwelling-house. These are my views. But to those who think that each State is a sovereign judge, not only of its own rights, but of the extent of powers conferred upon the general government by the people of the whole Union; and that each State, giving its own construction to the constitutional powers of Congress, may array its separate sovereignty against every act of that body transcending this estimate of their powers, — to say of men holding these principles, that, for the ten years from 1804 to 1814, they were intending a dissolution of the Union, and the formation of a new confederacy, is charging them with nothing more than with acting up to their principles.

To the purposes of party leaders intending to accomplish the dissolution of the Union and a new confederacy, two postulates are necessary: first, an act or acts of Congress, which may be resisted as *unconstitutional*; and, secondly, a state of excitement among the people of one or more States

of the Union, sufficiently inflamed to produce acts of the State legislatures conflicting with the acts of Congress. Resolutions of the legislatures, denying the powers of Congress, are the first steps in this march to disunion; but they avail nothing without subsequent and corresponding action. The annexation of Louisiana to the Union was believed to be unconstitutional; but it produced no excitement to resistance among the people. Its beneficial consequences to the whole Union were soon felt, and took away all possibility of holding it up as the *labarum* of a political religion of disunion. The projected separation met with other disasters, and slumbered till the attack of the "Leopard" on the "Chesapeake," followed by the Orders in Council of 11th November, 1807, led to the embargo of the 22d December of that year. The first of these events brought the nation to the brink of war with Great Britain; and there is good reason to believe that the second was intended as a measure, familiar to the policy of that government, to sweep our commerce from the ocean, carrying into British ports every vessel of ours navigating upon the seas, and holding them, their cargoes and their crews, in sequestration, to aid in the negotiation of Mr. Rose, and bring us to the terms of the British cabinet. This was precisely the period at which the Governor of Nova Scotia was giving to his correspondent, in Massachusetts, the friendly warning from the British government of the revolutionizing and conquering plan of France, which was communicated to me, and of which I apprised Mr. Jefferson. The embargo, in the mean time, had been laid, and had saved most of our vessels and seamen from the grasp of the British cruisers. It had rendered impotent the British Orders in Council; but, at the same time, it had choked up the channels of our own commerce. As its operation bore with heavy pressure upon the commerce and navigation of the North, the Federal leaders soon began to clamor against it; then, to denounce it as unconstitutional; and then, to call upon the *commercial States* to concert measures among themselves to resist its execution. The question made of the constitutionality of the embargo only proved that, in times of violent

popular excitement, the clearest delegation of a power to Congress will no more shield the exercise of it from a charge of usurpation, than that of a power the most remotely implied or constructive. The question of the constitutionality of the embargo was solemnly argued before the District Court of the United States at Salem ; and, although the decision of the judge was in its favor, it continued to be argued to the juries, and, even when silenced before them, was in the distemper of the times so infectious that the juries themselves habitually acquitted those charged with the violation of that law. There was little doubt that, if the question of constitutionality had been brought before the State judiciary of Massachusetts, the decision of the court would have been *against* the law. The first postulate for the projectors of disunion, was thus secured. The second still lingered ; for the people, notwithstanding their excitement, still clung to the Union, and the Federal majority in the legislature was very small. Then was brought forward the first project for a Convention of Delegates from the New England States to meet in Connecticut ; and then was the time at which I urged with so much earnestness, by letters to my friends at Washington, the substitution of the non-intercourse for the embargo.

The non-intercourse was substituted. The arrangement with Mr. Erskine soon afterwards ensued ; and in August, 1809, I embarked upon a public mission to Russia. My absence from the United States was of eight years' duration, and I returned to take charge of the Department of State in 1817.

The rupture of Mr. Erskine's arrangement, the abortive mission of Mr. Jackson, the disclosures of Mr. John Henry, the war with Great Britain, the opinion of the judges of the Supreme Court of Massachusetts that by the Constitution of the United States no power was given either to the President or to Congress to determine the actual existence of the exigencies upon which the militia of the several States may be employed in the service of the United States, and the Hartford Convention, all happened during my absence from this country. I forbear to pursue the narrative. The two pos-

tulates for disunion were nearly consummated. The interposition of a kind Providence restoring peace to our country and to the world, averted the most deplorable of catastrophes, and, turning over to the receptacle of things lost upon earth the adjourned convention from Hartford to Boston, extinguished (by the mercy of Heaven, may it be for ever!) the projected New England confederacy.

Gentlemen, I have waived every scruple, perhaps even the proprieties of my situation, to give you this answer, in consideration of that long and sincere friendship for some of you which can cease to beat only with the last pulsation of my heart. But I cannot consent to a controversy with you. Here, if you please, let our *joint* correspondence rest. I will answer for the public eye, or for the private ear, at his option, either of you speaking for himself upon any question which he may justly deem necessary for the vindication of his own reputation. But I can recognize among you no representative characters. Justly appreciating the filial piety of those who have signed your letter in behalf of their deceased sires, I have no reason to believe that either of those parents would have authorized the demand of names, or the call for evidence which you have made. With the father of your last signer I had, in the year 1809, one or more intimately confidential conversations on this very subject, which I have flattered myself, and still believe, were not without their influence upon the conduct of his last and best days. His son may have found no traces of this among his father's papers. He may believe me that it is, nevertheless, true.

It is not improbable that, at some future day, a sense of solemn duty to my country may require of me to disclose the evidence which I do possess, and for which you call. But of that day the selection must be at my own judgment, and it may be delayed till I myself shall have gone to answer for the testimony I may bear before the tribunal of your God and mine. Should a disclosure of names even then be made by me, it will, if possible, be made with such reserve as tenderness to the feelings of the living and to the families and friends of the dead may admonish.

But no array of numbers or of power shall draw me to a disclosure which I deem premature, or deter me from making it when my sense of duty shall sound the call.

In the mean time, with a sentiment of affectionate and unabated regard for some, and of respect for all of you, permit me to subscribe myself

Your friend and fellow-citizen,

JOHN QUINCY ADAMS.



## VIII.

## APPEAL TO THE CITIZENS OF THE UNITED STATES.

THE following appeal is made to you because the charges which have rendered it necessary were exhibited by your highest public functionary, in a communication designed for the eyes of all, and because the citizens of every State in the Union have a deep interest in the reputation of every other State.

It is well known that, during the embargo, and the succeeding restrictions on our commerce, and also during the late war with Great Britain, the State of Massachusetts was sometimes charged with entertaining designs dangerous, if not hostile, to the Union of the States. This calumny, having been engendered at a period of extreme political excitement, and being considered like the thousand others which at such times are fabricated by party animosity, and which live out their day and expire, has hitherto attracted very little attention in this State. It stood on the same footing with the charge against Hamilton for peculation; against the late President Adams as being in favor of a monarchy and nobility; and against Washington himself, as hostile to France, and devoted to British interests, — calumnies which were seldom believed by any respectable members of the party which circulated them.

The publication by the President of the United States, in the "National Intelligencer" of October last, has given an entirely new character to these charges against the citizen of Massachusetts. They can no longer be considered as the anonymous slanders of political partisans, but as a solemn and deliberate impeachment by the first magistrate of the United States, and under the responsibility of his name. It appears also that this denunciation, though now for the first time made known to the public, and to the parties implicated

(whoever they may be), was contained in private letters of Mr. Adams, written twenty years ago, to members of the general government; and that he ventures to state it as founded on unequivocal evidence within his own knowledge.

It was impossible for those who had any part in the affairs of Massachusetts during the period in question to suffer such a charge to go forth to the world, and descend to posterity, without notice. The high official rank of the accuser, the silent but baneful influence of the original secret denunciation, and the deliberate and unprovoked repetition of it in a public journal, authorized an appeal to Mr. Adams for a specification of the parties and of the evidence, and rendered such an appeal absolutely imperative. No high-minded, honorable man, of any party, or of any State in our confederacy, could expect that the memory of illustrious friends deceased, or the characters of the living, should be left undefended, through the fear of awakening long-extinguished controversies, or of disturbing Mr. Adams's retirement. Men who feel a just respect for their own characters, and for public esteem, and who have a corresponding sense of what is due to the reputation of others, will admit the right of all who might be supposed by the public to be included in Mr. Adams's denunciation, to call upon him to disperse the cloud with which he had enveloped their characters. Such persons had a right to require that the innocent should not suffer with the guilty, if any such there were; and that the parties against whom the charge was levelled should have an opportunity to repel and disprove it. Mr. Adams had, indeed, admitted that his allegations could not be proved in a court of law, and thereby prudently declined a legal investigation; but the persons implicated had still a right to know what the evidence was which he professed to consider as "unequivocal," in order to exhibit it to the tribunal of the public before which he had arraigned them. He had spoken of that evidence as entirely satisfactory to him. They had a right to ascertain whether it would be alike satisfactory to impartial, upright, and honorable men.

It being determined that this denunciation could not be

suffered to pass unanswered, some question arose as to the mode in which it should be noticed. Should it be by a solemn public denial, in the names of all those who came within the scope of Mr. Adams's accusation; including, as it does, all the leaders of the Federal party from the year 1803 to 1814? Such a course, indeed, would serve in Massachusetts, where the characters of the parties are known, most fully to countervail the charges of Mr. Adams; but this impeachment of their character may be heard in distant States and in future times. A convention might have been called of all who had been members of the Federal party in the legislature during those eleven years; and a respectable host they would be, in numbers, intelligence, education, talents, and patriotism. Yet it might then have been said, "You mean to overpower your accuser by numbers; you intend to seize this occasion to revive the old and long extinct Federal party; your purpose is to oppress by popular clamor a falling chief; you are avenging yourselves for his ancient defection from your party; you are conscious of guilt, but you endeavor to diminish the odium of it by increasing the number of your accomplices." These reasons had great weight; and the course adopted, after deliberation, appeared to be free from all objection.

The undersigned, comprising so many of the Federal party, that Mr. Adams should not be at liberty to treat them as unworthy of attention, and yet so few that he could not charge them with arraying a host against him, addressed to him the above letter of November 26th. They feel no fear that the public will accuse them of presumption in taking upon themselves the task of vindicating the reputation of the Federal party. The share which some of them had in public affairs during the period over which Mr. Adams has extended his charges and insinuations, and the decided, powerful, and well-merited influence enjoyed by their illustrious friends now deceased, most assuredly gave to the undersigned a right to demand the grounds of the accusation, — a right which Mr. Adams himself repeatedly admits, might have been justly and properly exercised by each of them severally. Their demand was founded on the common principle, recognized alike

in the code of honor and of civil jurisprudence, — that no man should make a charge affecting the rights or character of others, without giving them an opportunity of knowing the grounds on which it was made, and of disproving it if untrue. To this plain and simple demand, the undersigned received the answer contained in the above letter of Mr. Adams, dated on the 30th of December.

It will be seen that Mr. Adams altogether refuses to produce any evidence in support of his allegations. The former part of his letter contains his reasons for that refusal; and in the other part he repeats the original charges in terms even more offensive than before. When addressing to him our letter, we thought we might reasonably expect from his sense of what was due to himself, as well as to us, that he would fully disclose all the evidence which he professed to consider so satisfactory; and we felt assured that, in that event, we should be able fully to explain or refute it, or to show that it did not affect any distinguished members of the Federal party. And if, on the other hand, he should refuse to disclose that evidence, we trusted that the public would presume, what we unhesitatingly believe, that it was because *he had no evidence that would bear to be submitted to an impartial and intelligent community.* Mr. Adams has adopted the latter course; and, if the reasons that he has assigned for it should appear to be unsatisfactory, our fellow-citizens, we doubt not, will join us in drawing the above inference. We therefore proceed to an examination of those reasons.

Mr. Adams first objects to our making a joint application to him; acknowledging the right of each one alone to inquire whether *he* was included in this vague and sweeping denunciation. It is not easy to see why any one should lose this acknowledged right, by uniting with others in the exercise of it; nor why this mere change of form should authorize Mr. Adams to disregard our claim. But there are two objections to the course which he has condescended to point out, as the only one in which he could be approached on this occasion. Any individual who should have applied to him in that mode might have been charged with arrogance; and

to each of them in turn he might have tauntingly replied, "that the applicant was in no danger of suffering as one of the 'leaders' in Massachusetts, and had no occasion to exculpate himself from a charge conveyed in the terms used by Mr. Adams." The other objection is still more decisive. After allowing to this denunciation all the weight that it can be supposed to derive from the personal or official character of the accuser, we trust there are few citizens of Massachusetts who would be content to owe their political reputation to his estimation of it, and condescend to solicit his certificate to acquit them of the suspicion of treasonable practices.

Mr. Adams next objects, that we make our application as the representatives of a great and powerful party, which, at the time referred to, commanded, as he says, a devoted majority in the legislature of the Commonwealth; and he denies our right to represent that party. We have already stated the objections to a joint application by all who might be included in this denunciation, and to a separate inquiry by each individual; and some of the reasons which we thought justified the course which we have pursued. We certainly did not arrogate to ourselves the title of "leaders;" and Mr. Adams may enjoy, undisturbed, all the advantage which that circumstance can give him in this controversy. But we freely avowed such a close political connection with all who could probably have been included under that appellation, as to render us responsible for all their political measures that were known to us; and we, therefore, must have been either their dupes, or the associates in their guilt. In either case, we were interested; and, as we apprehend, entitled to make this demand of Mr. Adams.

As to the suggestion, that he spoke only of "certain leaders" of the Federal party, and not of the party itself, we certainly intended to deny our knowledge and belief that any such plot had been contrived by any party whatever in this State; and it is explicitly so stated in our letter. This language would include any number, whether large or small, who might be supposed to have leagued together for the pur-

pose suggested by Mr. Adams. There seems, therefore, to be but little ground for this technical objection, that we do not take the issue tendered by his charge.

But we wish to examine a little further this distinction, which Mr. Adams relies upon, between a political party and its leaders. From the nature of representative government, it results, that, in conducting the business of their legislative and popular assemblies, some individuals will be found to take a more active and conspicuous part than the rest, and will be regarded as essentially influencing public opinion, whilst they are generally themselves merely impelled by its force. But this influence, in whatever degree it may exist, is temporary, and is possessed by a constant succession of different persons. Those who possess it for the time being are called *leaders*; and, in the course of ten years, they must amount to a very numerous class. Their measures and political objects must necessarily be identified with those of their whole party. To deny this is to pronounce sentence of condemnation upon popular government. For, admitting it to be true that the people may be occasionally surprised and misled by those who abuse their confidence into measures repugnant to their interests and duty, still, if the majority of them can, for ten years together, be duped, and led hoodwinked to the very precipice of treason, by their perfidious guides, "without participating in their secret designs, or being privy to their existence," they show themselves unfit for self-government. It is not conceivable that the Federal party, which at that time constituted the great majority of Massachusetts, will feel themselves indebted to the President of the United States for a compliment paid to their loyalty, at the expense of their character for intelligence and independence.

It is in the above sense only that a free people can recognize any individuals as leaders; and, in this sense, every man who is conscious of having enjoyed influence and consideration with his party may well deem himself included in every opprobrious and indiscriminate impeachment of the motives of the leaders of that party. But it would be arrogance to

suppose himself *alone* intended, when the terms of the accusation imply a confederacy of many. And while, on the one hand, it would betray both selfishness and egotism to confine his demand of exculpation to himself; so, on the other, it is impossible to unite in one application *all* who might justly be considered as his associates. It follows, then, that any persons who, from the relations they sustain to their party, may apprehend that the public will apply to them charges of this vague description, may join, in such numbers as they shall think fit, to demand an explanation of charges, which will probably affect some of them, and may affect them all. The right, upon the immutable principles of justice, is commensurate with the injury, and should be adapted to its character.

Again, who can doubt that the public reputation of high-minded men who have embarked in the same cause, and maintained a communion of principles, is a common property, which all who are interested are bound to vindicate as occasion may require, the present for the absent, the living for the dead, the son for the father.

If any responsible individual at Washington should declare himself to be in possession of unequivocal evidence that the leaders of certain States in our confederacy were now maturing a plot for the separation of the States, might not the members of Congress now there, from the States thus accused, insist upon a disclosure of evidence and names? Would they be diverted from their purpose by an evasion of the question, on the ground that, as the libeller had not named any individuals, so there was no one entitled to make this demand? or would they be satisfied with a misty exculpation of themselves? This cannot be imagined. They would contend for the honor of their absent friends, of their party, and of their States. These were among our motives for making this call. We feel an interest in all these particulars, and especially in the unsullied good name of friends and associates who, venerable for eminent talents, virtues, and public services, have gone down to the grave unconscious of any imputation on their characters.

Mr. Adams admits our right to make severally the inqui-

ries which have been made jointly ; though, in a passage eminent for its equivocation, he expresses a doubt whether we can come within the terms of his charges. On this remarkable passage, we submit one more observation. As Mr. Adams declares that he *well knew*, from *unequivocal evidence*, the existence of such treasonable designs, he must have known whether the parties who addressed him were engaged in those designs. Why, then, resort to the extraordinary subterfuge, that, *if* the signers of that letter were *not* leaders, then the charges did not refer to them ?

There is, then, no right on the part of Mr. Adams to prescribe to the injured parties (and all are injured who may be comprehended in his vague expressions) the precise form in which they should make their demand. And his refusal to answer that which we have made, is like that of one who, having fired a random shot among a crowd, should protest against answering to the complaint of any whom he had actually wounded, because they could not prove that his aim was directed at them.

Another reason assigned by Mr. Adams for his refusal to name the individuals whom he intended to accuse, is that it might expose him to a legal prosecution. He certainly had not much to apprehend in this respect from any of the undersigned. As he had originally announced that he had no legal evidence to prove his charge, and the undersigned had, nevertheless, called on him to produce such as he did possess, he must have been sufficiently assured that their purpose was not to resort to a court of justice, but to the tribunal of public opinion ; and that they had virtually precluded themselves from any other resort.

Mr. Adams suggests another objection to naming the parties accused, on account of the probable loss of evidence, and the forgetfulness of witnesses, after the lapse of twenty years.

He undoubtedly now possesses all the evidence that he had in October last, when he published his statement. If he then made this grave charge against certain of his fellow-citizens, with the knowledge that there was no evidence by which it could be substantiated, where was his sense of justice ? If



he made it without inquiring, and without regarding whether he had any such evidence or not, intending, if called upon, to shield himself from responsibility, by suggesting this loss of documents and proofs, where was then his self-respect?

But did it never occur to Mr. Adams that the parties accused might also, in this long lapse of time, have lost the proofs of their innocence? *He has known for twenty years past that he had made this secret denunciation of his ancient political friends;* and he must have anticipated the possibility that it might at some time be made public, if he had not even determined in his own mind to publish it himself. He has, therefore, had ample opportunity, and the most powerful motives, to preserve all the evidence that might serve to justify his conduct on that occasion. On the other hand, the parties accused, and especially those venerable patriots who during this long interval have descended to the grave, *unconscious of guilt, and ignorant that they were even suspected, have foreseen no necessity, and had no motive whatever, to preserve any memorials of their innocence.* We venture to make this appeal to the conscience of Mr. Adams himself.

Mr. Adams in one passage appeals to the feelings of the undersigned, and intimates his surprise that they should have selected the present moment for making their demand. He did them but justice in supposing that this consideration had its influence on their minds. Their only fear was that their appeal might be considered as an attack on an eminent man, whom the public favor seemed to have deserted. But the undersigned had no choice. Their accuser had selected his own time for bringing this subject before the world; and they were compelled to follow him with their defence, or consent that the seal should be set on their own reputations, and on those of their deceased friends, for ever. We said with truth, that it was not our design nor wish to produce an effect on any political party or question. We were not unaware that our appeal might lead to such measures as would seriously affect either Mr. Adams or ourselves in the public opinion. But whilst we did not wish for any such result, so neither were we disposed to shrink from it.

The necessity of correcting some mistakes in a letter of Mr. Jefferson, which had been lately published, is assigned by Mr. Adams as the reason for his publication. If that circumstance has brought him before the public at a time, or in a manner, injurious to his feelings, or unpropitious to his political views and expectations, we are not responsible for the consequences. We would observe, however, that it would have been apparently a very easy task to correct those mistakes, without adding this unprovoked denunciation against his native State.

Finally, Mr. Adams declines all further correspondence with us on this subject, and even intimates an apprehension that he may have already condescended too far, and waived "even the proprieties of his situation," in giving us such an answer as he has given.

He very much misapprehends the character of our institutions and the principles and spirit of his countrymen, if he imagines that any official rank, however elevated, will authorize a man to publish injurious charges against others, and then to refuse all reparation, and even explanation, lest it would tend to impair his dignity. If he is in any danger of such a result in the present instance, he should have foreseen it when about to publish his charges, in October last. If "the proprieties of his situation" have been violated, it was by that original publication, and not by too great condescension in answer to our call upon him for an act of simple justice towards those who felt themselves aggrieved.

We have thus examined all the reasons by which Mr. Adams attempts to justify his refusal to produce the evidence in support of his allegations; and we again appeal with confidence to our fellow-citizens throughout the United States for the justice of our conclusion that no such evidence exists.

The preceding observations suffice, we trust, to show that we have been reluctantly forced into a controversy which could not be shunned without the most abject degradation; that it was competent to us to interrogate Mr. Adams in the mode adopted; and that he declines a direct answer for reasons

insufficient and unsatisfactory, thus placing himself in the predicament of an *unjust accuser*.

Here, perhaps, we might safely rest our appeal, on the ground that it is impossible strictly to prove a negative. But, though we are in the dark ourselves, with respect to the evidence on which he relies to justify his allegation of a "project," at any time, to dissolve the Union, and establish a Northern confederacy (which is the only point to which our inquiries were directed), it will be easy, by a comparison of dates and circumstances founded on his own admissions, to demonstrate (what we know must be true) that no such evidence applies to any man who acted, or to the measures adopted in Massachusetts at and posterior to the time of the embargo. The project itself, so far as it applies to those men and measures, and probably altogether, existed only in the distempered fancy of Mr. Adams.

"This design," he says, "*had been formed in the winter of 1803-4, immediately after, and as a consequence of, the acquisition of Louisiana.* Its justifying causes, to those who entertained it, were: That the annexation of Louisiana to the Union transcended the constitutional powers of the government of the United States; that it formed, in fact, a new confederacy, to which the States united by the former compact were not bound to adhere; that it was oppressive to the interests, and destructive to the influence, of the Northern section of the confederacy, whose right and duty it therefore was to secede from the new body politic, and to constitute one of their own. This plan was so far matured that a proposal had been made to an individual to permit himself, at the proper time, to be placed at the head of the military movements, which, it was foreseen, would be necessary for carrying it into execution." The interview with Mr. Jefferson was in March, 1808. In May, Mr. Adams ceased to be a Senator. In the winter of 1808-9, he made his communications to Mr. Giles. In August, 1809, he embarked for Europe, three years before the war, and did not return until three years after the peace; and he admits the impossibility of his having given to Mr. Jefferson information of negotiations

between our citizens and the British during the war, or having relation to the war, condescending to declare that he had no knowledge of such negotiations.

The other measures to which Mr. Adams alludes were of the most public character, and the most important of them better known in their day to others than they could be to him, residing in a foreign country ; and, if the chain by which these measures are connected with the supposed plot shall appear to be wholly imaginary, these measures will remain to be supported, as they ought to be, on their own merits. The letter from the Governor of Nova Scotia, as will presently be seen, is of no possible significance in any view, but that of having constituted *the only information* (as he says) which Mr. Adams communicated to Mr. Jefferson at the time of his first and only confidential interview. It was written in the summer of 1807, this country being then in a state of peace. The Governor's correspondent is to this hour unknown to us. He was not, says Mr. Adams, a "leader" of the Federal party. The contents of the letter were altogether idle ; but the effect supposed by Mr. Adams to be contemplated by the writer could be produced only by giving them publicity. It was communicated to Mr. Adams without any injunction of secrecy. He has no doubt it was shown to others. Its object was, he supposes, to accredit a calumny, that Mr. Jefferson and his measures were subservient to France ; that the British government were informed of a plan determined upon by France to effect a conquest of the British Provinces on this continent, and a revolution in the government of the United States ; as means to which, they were first to produce a war between the United States and England. A letter of this tenor was no doubt shown to Mr. Adams, as we must believe upon his word. The discovery would not be surprising, that British as well as French officers and citizens, in a time of peace with this country, availed themselves of many channels for conveying their speculations and stratagems, to other innocent ears as well as to those of Mr. Adams, with a view to influence public opinion. But the subject-matter of the letter was an absurdity. Who did not know that, in

1807, after the battle of Trafalgar, the crippled navy of France could not undertake to transport even a single regiment across the British Channel? And if the object was the conquest of the British Provinces by the United States alone, how could a revolution in their government, which must divide and weaken it, promote that end?

The folly of the British governor in attempting to give currency to a story which savors so strongly of the burlesque, can be equalled only by the credulity of Mr. Adams in believing it calculated to produce effect; and, if he did so believe, it furnishes a criterion by which to estimate the correctness and impartiality of his judgment concerning the weight and the application of the other evidence which he still withholds, and from which he has undertaken with equal confidence to "draw his inferences." After the adjustment of the diplomatic preliminaries with Mr. Giles and others, Mr. Adams communicated NOTHING to Mr. Jefferson but the substance of the Nova Scotia letter. If Mr. Adams had then known and believed in the "project" (the "key" to all the future proceedings), it is incredible that it should not have been deemed worthy of disclosure *at that time, and on that occasion.*

In this connection, we advert for a moment to the temper of mind, and the state of feelings, which probably gave rise to and accompanied this communication of Mr. Adams. Circumstances had occurred tending to embitter his feelings and to warp his judgment.

Mr. Adams, just before the time of his interview with Mr. Jefferson, had voted for the embargo. He had been reproached for having done this on the avowed principle *of voting, and not deliberating*, upon the Executive recommendation. He had been engaged with his colleague in a controversy on this subject. His conduct — as he affirms, and as was the fact — had been censured in terms of severity in the public press. The legislature of Massachusetts had elected another person to succeed him in the Senate of the United States, and had otherwise expressed such a strong and decided disapprobation of the measures which he had supported, that he felt compelled to resign his seat before the expiration of his term.

## NEW ENGLAND FEDERALISM.

se might be felt as injuries even by men of placable  
per. It is probable that his feelings of irritation may be  
ed back to the contest between Jefferson and the elder  
ms. It is no secret that the latter had cherished deep  
bitter resentment against *Hamilton*, and certain other  
iders" of the Federal party, supposed to be Hamilton's  
ids. It would not be unnatural that the son should par-  
ate in these feelings of the father. When Mr. Adams  
ed Mr. Jefferson, and afterwards made his disclosures to  
Giles and others, having lost the confidence of his own  
y, he had decided, "as subsequent events doubtless con-  
ed," to throw himself into the arms of his father's oppo-  
s. But there was a load of political guilt, personal and  
ditary, still resting upon him, in the opinions of the ad-  
e party. No ordinary proof of his unqualified abjuration  
s late politics would be satisfactory: some sacrifice which  
ld put his sincerity to the test, and place an impassable  
er between him and his former party, was indispensable.  
what sacrifice was so natural, what pledge so perfect, as  
private denunciation? Nor does the effect seem to have  
miscalculated or overrated. Mr. Jefferson declares that it  
d Mr. Adams in his mind. Its eventual consequences  
highly and permanently advantageous to Mr. Adams.  
though he assured Mr. Giles that he had renounced his  
r without personal views, yet this "denial," considering  
he had the good fortune to receive *within a few months* the  
ssy to Russia, "connected with other circumstances,"  
b ended in his elevation to the presidency, does, indeed,  
ding to his own principles of presumptive evidence,  
re an effort of "the charity which believeth all things,"  
in it "credence."

these public and indisputable facts, we should not now  
t, had Mr. Adams given us the names and evidence as  
sted; and had he forborne to reiterate his injurious in-  
tions. But, as they now rest wholly upon the sanction  
s opinion respecting evidence which he alone possesses,  
link it but reasonable to consider how far these circum-  
es may have heated his imagination, or disturbed his

equanimity, and given to the evidence, which he keeps from the public eye, an unnatural and false complexion.

We proceed, then, to a brief examination of the alleged project of 1803-4, — of the Northern confederacy.

In the first place, *We solemnly disavow all knowledge of such a project, and all remembrance of the mention of it, or of any plan analogous to it, at that or any subsequent period.* Secondly, While it is obviously impossible for us to controvert evidence of which we are ignorant, we are well assured it must be equally impossible to bring any facts which can be considered evidence to bear upon the designs or measures of those who, at the time of Mr. Adams's interview with Mr. Jefferson, and afterwards, during the war, took an active part in the public affairs of Massachusetts.

The effort, discernible throughout this letter, to connect those later events, which were of a public nature, and of which the natural and adequate causes were public, with the mysterious project (known only to himself) of an earlier origin and distinct source, is in the last degree violent and disingenuous.

The cession of Louisiana to the United States, when first promulged, was a theme of complaint and dissatisfaction in this part of the country. This could not be regarded as factious or unreasonable, when it is admitted by Mr. Adams that Mr. Jefferson and himself entertained constitutional scruples and objections to the provisions of the treaty of cession. Nothing, however, like a popular excitement grew out of the measure, and it is stated by Mr. Adams that this project "*slumbered*" until the period of the embargo in December 1807. Suppose, then, for the moment (what we have not a shadow of reason for believing, and do not believe) that upon the occasion of the Louisiana Treaty, "certain leaders," influenced by constitutional objections (admitted to have been common to Mr. Jefferson, Mr. Adams, and themselves) had conceived a project of separation, and of a Northern confederacy, as the only probable counterpoise to the manufacture of new States in the South, does it follow that, when the public mind became reconciled to the cession, and the

beneficial consequences of it were realized (as it is conceded by Mr. Adams was the case), these same "leaders," whoever they might be, would still cherish the embryo project, and wait for other contingencies to enable them to effect it? On what authority can Mr. Adams assume that the project merely "slumbered" for years, if his private evidence applies only to the time of its origin?

The opposition to the measures of government in 1808 arose from causes which were common to the people, not only of New England, but of all the commercial States, as was manifested in New York, Philadelphia, and elsewhere. By what process of fair reasoning, then, can that opposition be referred to, or connected with, a plan which is said to have originated in 1804, and to have been intended to embrace merely a *Northern* confederacy? The objection to the Louisiana treaty was founded on the just construction of the compact between sovereign States. It was believed, in New England, that new members could not be added to the confederacy beyond the territorial limits of the contracting parties without the consent of those parties. This was considered as a fair subject of remonstrance, and as justifying proposals for an amendment of the Constitution. But so far were the Federal party from attempting to use this as an additional incentive to the passions of the day, that, in a report made to the legislature of 1813, by a committee of which Mr. Adams's "excellent friend," *Josiah Quincy*, was chairman (Louisiana having at this time been admitted into the Union), it is expressly stated that, "*they have not been disposed to connect this great constitutional question with the transient calamities of the day, from which it is in their opinion very apparently distinguished both in its cause and consequences;*" that, in their view of this great constitutional question, they have confined themselves to topics and arguments drawn from the Constitution, "with the hope of limiting the further progress of the evil, rather than with the expectation of immediate relief during the continuance of existing influences in the national administration." This report was accepted; and thus the "project," instead of being



used as fuel to the flame, is deliberately taken out of it, and presented to the people by the "leaders" as resting on distinct considerations from the "transient calamities," and for which present redress ought neither to be sought nor expected.

To the embargo imposed in December, 1807, nearly all the delegation of Massachusetts was opposed. The pretexts for imposing it were deemed by her citizens a mockery of her sufferings. Owing nearly one-third of the tonnage in the United States, she felt that her voice ought to be heard in what related to its security. Depending principally on her foreign trade and fisheries for support, her situation appeared desperate under the operation of this law, in its terms perpetual. It was a bitter aggravation of her sufferings to be told that its object was to preserve these interests. No people, at peace, in an equal space of time, ever endured severer privations. She could not consider the annihilation of her trade as included in the power to regulate it. To her lawyers, statesmen, and citizens in general, it appeared a direct violation of the Constitution. It was universally odious. The disaffection was not confined to the Federal party. Mr. Adams, it is said and not contradicted, announced in his letters to the members of Congress that government must not rely upon its own friends. The interval from 1807 to 1812 was filled up by a series of restrictive measures, which kept alive the discontent and irritation of the popular mind. Then followed the war, under circumstances which aggravated the public distress. In its progress, Massachusetts was deprived of garrisons for her ports, — with a line of sea-coast equal in extent to one-third of that of all the other maritime States, she was left during the whole war nearly defenceless; her citizens subject to incessant alarm; a portion of the country invaded, and taken possession of as a conquered territory; her own militia arrayed and encamped at an enormous expense; pay and subsistence supplied from her nearly exhausted treasury, and reimbursement refused even to this day. Now, what, under the pressure and excitement of these measures, was the conduct of the Federal party, the "devoted majority," with the military force of the State in their hands; —

with the encouragement to be derived from a conviction that the Northern States were in sympathy with their feelings, and that government could not rely on its own friends? Did they resist the laws? Not in a solitary instance. Did they threaten a separation of the States? Did they array their forces with a show of such disposition? Did the government or people of Massachusetts, in any one instance, swerve from their allegiance to the Union? The reverse of all this is the truth. Abandoned by the national government, because she declined, for reasons which her highest tribunal adjudged to be constitutional, to surrender her militia into the hands of a military prefect, although they were always equipped and ready and faithful under their own officers, she nevertheless clung to the Union as to the ark of her safety; she ordered her well-trained militia into the field, stationed them at the points of danger, defrayed their expenses from her own treasury, and garrisoned with them the national forts. All her taxes and excises were paid with punctuality and promptness, — an example by no means followed by some of the States in which the cry for war had been loudest. These facts are recited for no other purpose but that of preparing for the inquiry, What becomes of Mr. Adams's "key," his "project," and his "postulates"? The latter were, to all intents and purposes, to use his language, "consummated."

Laws unconstitutional in the public opinion had been enacted. A great majority of an exasperated people were in a state of the highest excitement. The legislature (if his word be taken) was under "the management of the leaders;" the judicial courts were on their side; and the juries were, as he pretends, contaminated. A golden opportunity had arrived. "Now was the winter of their discontent made glorious summer." All the combustibles for revolution were ready. When, behold! — instead of a dismembered Union, military movements, a Northern confederacy, and British alliance, accomplished at the favorable moment of almost total prostration of the credit and power of the national rulers, — a small and peaceful deputation of grave citizens, selected from the ranks of civil life, and legislative councils, assembled at

Hartford. There, calm and collected, — like the Pilgrims from whom they descended, and not unmindful of those who had achieved the independence of their country, — they deliberated on the most effectual means of preserving for their fellow-citizens and their descendants the civil and political liberty which had been won and bequeathed to them.

The character of this much-injured assembly has been subjected to heavier imputations, under an entire deficiency, not only of proof, but of probability, than ever befell any other set of men discharging merely the duties of a committee of a legislative body, and making a public report of their doings to their constituents. These imputations have never assumed a precise form ; but vague opinions have prevailed of a combination to separate the Union. As Mr. Adams has condescended, by the manner in which he speaks of that convention, to adopt or countenance those imputations on its proceedings, we may be excused for making a few more remarks on the subject, although this is not a suitable occasion to go into a full explanation and vindication of that measure.

The subject naturally resolves itself into four points, or questions : —

First, The constitutional right of a State to appoint delegates to such a convention ;

Secondly, The propriety and expediency of exercising that right at that time ;

Thirdly, The objects intended to be attained by it, and the powers given for that purpose by the State to the delegates ; and, —

Fourthly, The manner in which the delegates exercised their power.

As to the first point, it will not be doubted that the people have a right, “ in an orderly and peaceable manner, to assemble to consult upon the common good,” and to request of their rulers, “ by the way of addresses, petitions, or remonstrances, redress of the wrongs done them, and of the grievances they suffer.” This is enumerated in the constitution of Massachusetts among our natural, essential, and unalienable rights ; and it is recognized in the Constitution of the United States :

and who, then, shall dare to set limits to its exercise, or to prescribe to us the manner in which it shall be exerted? We have already spoken of the state of public affairs, and the measures of the general government, in the year 1814, and of the degree of excitement, amounting nearly to desperation, to which they had brought the minds of the people in this and the adjoining States. Their sufferings and apprehensions could no longer be silently endured; and numerous meetings of the citizens had been held on the occasion in various parts of the country. It was then thought that the measures called for in such an emergency would be more prudently and safely matured and promoted by the government of the State than by unorganized bodies of individuals, strongly excited by what they considered to be the unjust and oppressive measures of the general government. If all the citizens had the right, jointly and severally, to consult for the common good and to seek for a redress of their grievances, no reason can be given why their legislative assembly, which represents them all, may not exercise the same right in their behalf. We nowhere find any constitutional prohibition or restraint of the exercise of this power by the State; and, if not prohibited, it is reserved to the State. We maintain, then, that the people had an unquestionable right, in this as well as in other modes, to express their opinions of the measures of the general government, and to seek, "by addresses, petitions, or remonstrances," to obtain a redress of their grievances and relief from their sufferings.

If there was no constitutional objection to this mode of proceeding, it will be readily admitted that it was in all respects the most eligible. In the state of distress and danger which then oppressed all hearts, it was to be apprehended, as before suggested, that large and frequent assemblies of the people might lead to measures inconsistent with the peace and order of the community. If an appeal was to be made to the government of the United States, it was likely to be more effectual, if proceeding from the whole State collectively, than from insulated assemblies of citizens; and the application in that form would tend also to repress the public excitement,

and prevent any sudden and unadvised proceedings of the people, by holding out to them the prospect of relief through the influence of their State government. This latter consideration had great weight with the legislature ; and it is believed to have been the only motive that could have induced some of the delegates to that convention to quit the seclusion to which they had voluntarily retired, to expose themselves anew to all the fatigue and anxiety, the odium, the misrepresentations, calumnies, and unjust reproaches, which so frequently accompany and follow the best exertions for the public good.

If each one of the States had the right thus to seek a redress of grievances, it is clear that two or more States might consult together for the same purpose ; and the only mode in which they could consult each other was by a mutual appointment of delegates for that purpose.

But this is not the only ground, nor is it the strongest, on which to rest the justification of the proceedings in question. If the government of the United States, in a time of such distress and danger, should be unable, or should neglect, to afford protection and relief to the people, the legislature of the State would not only have a right, but it would be their duty, to consult together, and, if practicable, to furnish these from their own resources. This would be in aid of the general government. How severely the people of Massachusetts experienced at that time the want of this ability or disposition in the general government, we need not repeat. If the legislature of a single State might, under such circumstances, endeavor to provide for its defence, without infringing the national compact, no reason is perceived why they might not appoint a committee or delegates to confer with delegates of neighboring States who were exposed to like dangers and sufferings, to devise and suggest to their respective legislatures measures by which their own resources might be employed "in a manner not repugnant to their obligations as members of the Union." A part of New England had been invaded, and was then held by the enemy, without an effort by the general government to regain it ; and, if another invasion, — which was then threatened and generally ex-

pected, — had taken place, and the New England States had been still deserted by the government, and left to rely on their own resources, it is obvious that the best mode of providing for their common defence would have been by a simultaneous and combined operation of all their forces. The States originally possessed this right ; and we hold that it has never been surrendered, nor taken from them by the people.

The argument on this point might be easily extended ; but we may confidently rely on the two grounds above mentioned : to wit, the right of the people, through their State legislatures or otherwise, to petition and remonstrate for a redress of their grievances ; and the right of the States, in a time of war and of threatened invasion, to make the necessary provisions for their own defence. To these objects was confined the whole authority conferred by our legislature on the delegates whom they appointed. They were directed to meet and confer with other delegates, and to devise and suggest measures of relief for the adoption of the respective States ; but not to represent or act for their constituents, by agreeing to or adopting any such measures themselves, or in behalf of the States.

But whilst we strenuously maintain this right of the people to complain, to petition, and to remonstrate in the strongest terms against measures which they think to be unconstitutional, unjust, or oppressive, and to do this in the manner which they shall deem most convenient or effectual, provided it be in an “ orderly and peaceable manner,” — we readily admit that a wise people would not hastily resort to it, especially in this imposing form, on every occasion of partial and temporary discontent or suffering. We therefore proceed to consider, —

Secondly, The propriety and expediency of adopting that measure in the autumn of 1814. On this point it is enough to say, that the grievances that were suffered and the dangers that were apprehended at that time, and the strong excitement which they produced among all the people, — which is stated more particularly elsewhere in this address, — rendered some measures for their relief indispensably necessary. If the legislature had not undertaken their cause, it appeared to be certain, as we have already suggested, that the people

would take it into their own hands ; and there was reason to fear that the proceedings in that case might be less orderly and peaceful, and at the same time less efficacious.

Thirdly, We have already stated the objects which our State government had in view in proposing the convention at Hartford, and the powers conferred on their delegates. If, instead of these avowed objects, there had been any secret plot for a dismemberment of the Union, in which it had been desired to engage the neighboring States, the measures for that purpose, we may suppose, would have been conducted in the most private manner possible. On the contrary, the resolution of our legislature for appointing their delegates, and prescribing their powers and duties, was openly discussed, and passed in the usual manner ; and a copy of it was immediately sent, by direction of the legislature, to the governor of every State in the Union.

Fourthly, The only remaining question is, whether the delegates exceeded or abused their powers. As to this, we have only to refer to the report of their proceedings, and to their journal, which is deposited in the archives of this State.

That report — which was published immediately after the adjournment of the convention, and was soon after accepted by the legislature — holds forth the importance of the Union as paramount to all other considerations, enforces it by elaborate reasoning, and refers in express terms to *Washington's Farewell Address* as its text-book. If, then, no power to do wrong *was given* by the legislature to the convention, and if nothing unconstitutional, disloyal, or tending to disunion was in *fact done* (all which is manifest of record), there remains no pretext for impeaching the members of the convention by imputing to them covert and nefarious designs, except the uncharitable one, that the characters of the men justify the belief that they cherished in their hearts wishes and intentions to do what they had no authority to execute, and what in fact they did not attempt. On this head, to the people of New England who were acquainted with these characters, no explanation is necessary. For the information of others, it behooves those of us who were members to speak without

reference to ourselves. With this reserve, we may all be permitted to say, without fear of contradiction, that they fairly represented whatever of moral, intellectual, or patriotic worth is to be found in the character of the New England community; that they retained all the personal consideration and confidence which are enjoyed by the best citizens, — those who have deceased, to the hour of their death; and those who survive, to the present time. For the satisfaction of those who look to self-love and to private interest as springs of human action, it may be added that, among the mass of citizens, friends, and connections, whom they represented, were many whose fortunes were principally vested in the public funds, to whom the disunion of the States would have been ruin. That convention may be said to have originated with the people. Measures for relief had been demanded from immense numbers, in counties and towns in all parts of the State, long before it was organized. Its main and avowed object was *the defence of this part of the country against the common enemy*. The war then wore its most threatening aspect. New England was destitute of national troops, her treasuries exhausted, her taxes drawn into the national coffers.

The proceedings and report of the convention were in conformity with this object. The *burden* of that report consisted in recommending an application to Congress to permit the States to provide for their own defence; and to be indemnified for the expense by reimbursement, in some shape, from the national government, of at least a portion of *their own money*. This convention adjourned early in January. On the 27th of the same month, an act of Congress was passed, which gave to the State governments the very power which was sought by Massachusetts; viz., that of “raising, organizing, and officering” State troops, “to be employed in the State raising the same, or in an adjoining State,” and providing for their pay and subsistence. This, we repeat, was the most important object aimed at by the institution of the convention, and by the report of that body. Had this act of Congress passed before the act of Massachusetts for organizing the convention, *that convention never would have existed*. Had



such an act been anticipated by the convention, or passed before its adjournment, that assembly would have considered its commission as in a great measure superseded ; for, although it prepared and reported sundry amendments to the Constitution of the United States, to be submitted to *all* the States, and might even, if knowing of this act of Congress, have persisted in doing the same thing, yet, as this proposal for amendments could have been accomplished in other modes, they could have had no special motive for so doing, but what arose from their being together, and from the consideration which might be hoped for, as to their propositions, from that circumstance. It is thus matter of absolute demonstration to all who do not usurp the privilege of the SEARCHER *of hearts*, that the design of the Hartford Convention and its doings were not only constitutional and laudable, but sanctioned by an act of Congress, passed after the report was published, — not, indeed, with express reference to it, but with its principal features, and thus admitting the reasonableness of its general tenor and principal object. It is, indeed, grievous to perceive Mr. Adams condescending to intimate that the convention was adjourned to Boston, and, in a strain of rhetorical pathos, connecting his imaginary plot — then at least in the thirteenth year of its age — with the “catastrophe” which awaited the ultimate proceedings of the convention. That assembly *adjourned without day, after making its report*. It was *ipso facto* dissolved, like other committees. One of its resolutions did, indeed, purport that, “if the application of these States to the government of the United States (*recommended in a foregoing resolution*), *should be unsuccessful, and peace should not be concluded, and the defence of these States should be neglected as it has been* since the commencement of the war, it will be, in the opinion of this convention, expedient for the legislature of the several States to appoint delegates *to another convention*, to meet at Boston on the third Tuesday of June next, with such powers and instructions as the exigency of a crisis so momentous may require.” On this it is to be observed, —

First, That the convention contemplated in the foregoing resolution never was appointed, and never could have been,

according to the terms of that resolution; because, as is shown above, the object of the intended application to Congress had been attained. And, secondly, if the contingencies mentioned in that resolution had occurred, the question of forming such a new convention, and the appointment of the delegates, must have gone into the hands of new assemblies; because all the legislatures of the New England States would have been dissolved, and there would have been new elections before the time proposed for the second convention. And, lastly, it is matter of public notoriety that the report of this convention produced the effect of assuaging the public sensibility, and operated to repress the vague and ardent expectations entertained by many of our citizens, of immediate and effectual relief from the evils of their condition.

We pass over the elaborate exposition of constitutional law in the President's letter; having no call nor any inclination, at this time, to controvert its leading principles. Neither do we comment upon, though we perceive and feel, the unjust, and we must be excused for saying insidious, mode in which he has grouped together distant and disconnected occurrences, which happened in his absence from the country, for the purpose of producing, by their collocation, a glaring and sinister effect upon the Federal party. They were all of a public nature. The arguments concerning their merit or demerit have been exhausted; and time and the good sense of an intelligent people will place them ultimately in their true light, even though Mr. Adams should continue to throw obstacles in the way to this harmonious reaction of public opinion.

It has been a source of wonder and perplexity to many in our community to observe the immense difference in the standards by which public opinion has been led to measure the same kind of proceedings when adopted in different States. No pretence is urged that any actual resistance to the laws, or forcible violation of the constitutional compact, has ever happened in Massachusetts. Constitutional questions have arisen here as well as in other States. It is surprising and consolatory that the number has not been greater, and that

the termination of them has not been less amicable. To the discussion of some of them great excitement was unavoidably incident; but, in comparing cases with causes and effects, the impartial observer will perceive nothing to authorize any disparagement of *this State*, to the advantage of the pretensions of other members of the confederacy.

On this subject we disclaim the purpose of instituting invidious comparisons; but every one knows that Massachusetts has not been alone in complaints and remonstrances against the acts of the national government. Nothing can be found, on the records of her legislative proceedings, surpassing the tone of resolutions adopted in other States in reprobation of the alien and sedition laws. In one State opposition to the execution of a treaty, in others to the laws instituting the bank, has sounded the note of preparation for resistance in more impassioned strains than were ever adopted here. And, at this moment, claims of State rights, and protests against the measures of the national government, in terms for which no parallel can be found in Massachusetts, are ushered into the halls of Congress, under the most solemn and imposing forms of State authority. It is not our part to censure or to approve these proceedings. Massachusetts has *done* nothing at any time in opposition to the national government, and she has said nothing in derogation of its powers that is not fully justified by the Constitution, and not so much as other States have said, with more decided emphasis, and, as it is believed, without the stimulus of the same actual grievances. We are no longer at a loss to account for the prevalence of these prejudices against this part of the Union, since they can now be traced, not only to calumnies openly propagated in the season of bitter contention by irritated opponents, but to the secret and hitherto unknown aspersions of Mr. Adams.

Mr. Jefferson, then at the head of government, declares that the effect of Mr. Adams's communication to him at their interview in March, 1808, was such on his mind as to induce a change in the system of his administration. Like impressions were doubtless made on Mr. Giles and others, who then

gave direction to the public sentiment. Notwithstanding these disadvantages, if Mr. Adams had not seen fit to proclaim to the world his former secret denunciation, there had still been room to hope that those impressions would be speedily obliterated; that odious distinctions between the people of different States would be abolished; and that all would come to feel a common interest in referring symptoms of excitement against the procedure of the national government, which have been manifested successively on so many occasions and in so many States, to the feelings which, in free governments, are always roused by like causes, and are characteristic, not of a factious, but a generous sensibility to real or supposed usurpation. But Mr. Adams returns to the charge with new animation; and, by his political legacy to the people of Massachusetts, undertakes to entail upon them lasting dishonor. He reaffirms his convictions of the reality of the old project, persists in connecting it with later events, and dooms himself to the vocation of proving that the Federal party were either traitors or dupes. Thus he has again (but not like a healing angel) troubled the pool, and we know not when the turbid waters will subside.

It must be apparent that we have not sought, but have been driven into, this unexpected and unwelcome controversy. On the restoration of peace in 1815, the Federal party felt like men who, as by a miracle, find themselves *safe* from the most appalling *peril*. Their joy was too engrossing to permit a vindictive recurrence to the causes of that peril. Every emotion of animosity was permitted to subside. From that time until the appearance of Mr. Adams's publication, they had cordially joined in the general congratulation on the prosperity of their country, and the security of its institutions. They were conscious of no deviation from patriotic duty, in *any measure* wherein they had acted, or which had passed with their approbation. They were not only contented, but grateful, in the prospect of the duration of civil liberty, according to the forms which the people had deliberately sanctioned. These objects being secured, they cheerfully acquiesced in the administration of government, by

whomsoever the people might call to places of trust and of honor.

With such sentiments and feelings, the public cannot but participate in the astonishment of the undersigned at the time, the manner, and the nature of Mr. Adams's publication. We make no attempt to assign motives to him, nor to comment on such as may be imagined.

The causes of past controversies passing, as they were, to oblivion among existing generations, and arranging themselves, as they must do, for the impartial scrutiny of future historians, the revival of them can be no less distasteful to the public than painful to us. Yet it could not be expected that, while Mr. Adams, from his high station, sends forth the unfounded suggestions of his imagination or his jealousy as materials for present opinion and future history, we should *by silence*, give countenance to his charges; nor that we should neglect to vindicate the reputation of ourselves, our associates, and our Fathers.

H. G. OTIS.

ISRAEL THORNDIKE.

T. H. PERKINS.

WM. PRESCOTT.

DANIEL SARGENT.

JOHN LOWELL.

WM. SULLIVAN.

CHARLES JACKSON.

WARREN DUTTON.

BENJ. PICKMAN.

HENRY CABOT,

*Son of the late George Cabot*

C. C. PARSONS,

*Son of Theophilus Parsons, Esq., deceased*

Boston, Jan. 28, 1829.

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I subscribed the foregoing letter, and not the Reply, for the following reasons: Mr. Adams, in his statement published in the "National Intelligencer," spoke of the leaders of the Federal party, *in the year 1803, and for several years previous*, as engaged in a systematic opposition to the general government, having for its object the dissolution of the Union, and the establishment of a separate confederacy by the aid of a foreign power. As a proof of that disposition, particular allusion is made to the opposition to the embargo in the courts of justice in Massachusetts. This pointed the charge directly at my late father, whose efforts in that cause are probably remembered; and was the reason of my joining in the application to Mr. Adams to know on what such a charge

was founded. If this construction of the statement needs confirmation, it is to be found in one of the letters lately published in Salem as Mr. Adams's.

Mr. Adams in his answer has extended his accusation to a subsequent period. In the events of that time I have not the same interest as in those preceding it; and as the Reply was necessarily coextensive with the answer, that reason prevented me from joining in it. I take this opportunity, however, to say for myself, that I find in Mr. Adams's answer no justification of his charges; and, in reply to that portion of his letter particularly addressed to me, that I have seen no proof, and shall not readily believe, that any portion of my father's political course is to be attributed to the influence there suggested.

FRANKLIN DEXTER.

Boston, Jan. 28, 1830.

## IX.

JAMES GOULD TO THE EDITORS OF THE NEW YORK  
"EVENING POST."

LITCHFIELD, CONN., April 11, 1829.

GENTLEMEN, — While absent from home on a late journey, I saw, for the first time, in the "Evening Post" of the 19th ultimo, the copy of a letter bearing date the 6th of the same month, and addressed by Mr. John Q. Adams to James A. Hamilton, Esq. The statement in connection with which the late Mr. Tracy's name is introduced in that letter appears to demand some notice from his surviving friends; and by this consideration alone I am induced to trouble you with the present communication.

My absence from home when Mr. A.'s letter was first shown to me, and for eleven days afterwards, prevented me for the time from bestowing any attention upon it; and, though on my return home I immediately addressed inquiries concerning the subject-matter of Mr. A.'s statement to all the survivors (so far as I can recollect) of the Connecticut delegation to Congress at or near the period referred to by him, yet, as the answers of some of those gentlemen did not reach me till this day (April 11), I have been unavoidably delayed thus far in offering them for publication.

In the letter above mentioned, and in reference to what Mr. A. calls a "project" of certain leaders of the late Federal party to effect a dissolution of the Union, and to place General Hamilton at the head of the "military movements" necessary to its accomplishment, he says, "My informant, to the best of my recollection, was Mr. Uriah Tracy, then a Senator from Connecticut; I say to the best of my recollection, because, at one of my conversations with Mr. Tracy on this subject, another member of Congress, also now deceased,

was present; and I am not perfectly sure from which of them it was that I received this information."

Now, all this is doubtless *possible*, because it cannot be proved to be physically impossible. The only inquiry, therefore, is whether, under all the circumstances which have a bearing upon the question, the statement of Mr. A. is *credible*? And upon this question the public must be left to choose between *probabilities*, absolute certainty upon the negative side of the question being, in the nature of the case, utterly unattainable.

For the purpose of invalidating Mr. A.'s statements, so far as they affect the late Mr. T., it might be sufficient for me to lay before the public the replies of the survivors of the Connecticut delegation of 1803-4, and upon these alone to submit the question without comment. I am induced, however, by several considerations, to accompany those replies with a few remarks.

Mr. A., in the predicament in which he stands, can hardly expect that his uncorroborated declarations upon the present question will be regarded as *proof*. The unimpeached testimony of *one credible* witness is the very least and lowest by which any fact can be established. But Mr. A., in this case, is not a *witness*: he is a *party*; for it is most material to the question of his credibility that every statement sanctioned by his authority concerning the ever-memorable "project" for dismembering the Union has been made for the purpose of promoting *his own personal views*; and this, too, while he was consciously laboring under the suspicion, if not the direct imputation, of calumniating one political party, of deceiving the other, and of prevaricating towards both.

His first "disclosures" [by which I mean those committed to the keeping of Messrs. Giles and Jefferson] were made at the moment of his *secession*, or, as some have been hardy enough to term it, his *apostacy* from the Federal party; and, by one of those striking coincidences which sometimes occur in human affairs, that moment was precisely the same in which all his hopes of public honors and political preferment from the *Federal* party were utterly extinguished. To his *new*



political associates he was an object of deep and inveterate suspicion; and he plainly perceived that, unless he could conciliate their respect and confidence by convincing them that his desertion of the Federal party was prompted, not by ambitious or other sinister motives, but by an exalted sense of public duty, his "occupation was gone."

In this delicate conjuncture, the expedient which he employed was probably the wisest and best that the wit of man could have devised for the attainment of his object. The profession of any new and sudden *illumination* on the principles of government or science of politics would, in his circumstances, have been an awkward and somewhat hazardous experiment. This usual resource of new proselytes was obviously not adapted to his particular case. But the disclosure of the *Federal conspiracy against the integrity of the Union* was exactly suited to his purpose; and, upon the *credit* which might be given to this disclosure by those to whom it was addressed, all the aspirations of his ambition, all his hopes of public honors and emoluments, were suspended. It was the *price* by which he hoped to purchase, and actually purchased, the confidence and favor of the then ruling powers, together with all the preferments and profits which he has since received from the government or people of the United States. In his first "disclosures," then, Mr. A. is to be considered as a *party*, offering his own testimony in his own cause, and interested to the extent of both fame and fortune in making his testimony believed. And are the characters or memories of many of the wisest and worthiest men of whom our country can boast to be disgraced, or even subjected to suspicion, by the *giff-gaff* declarations of a party or witness carrying his testimony to market?

If not, the question arises, whether Mr. A.'s recent repetition of the same charges are entitled to more credit than his first disclosures. They are, on the contrary, even more suspicious than his original secret representations; for, though he has now less to *gain* from the confirmation of those charges than when they were first made, he has, nevertheless, incomparably more to *lose* from their refutation or reputed falsity. When

he first divulged his secret to Messrs. Giles and Jefferson, he undoubtedly supposed that he should by that act expose himself to nothing more than the chance of failing to obtain credit and confidence where he had *never before enjoyed either*, and to the possible disappointment of hopes which, *without the experiment of his disclosure*, he could never have indulged. He clearly expected that, even in the most unfavorable event, he should only be left *in statu quo*. He certainly believed his secret to be securely lodged where no *public search* could reach it, and could therefore be under no apprehension of *public exposure*. But when of late, and to his amazement, the portentous secret burst from its concealment into the light of day, he was instantly transformed from a *secret accuser* into a party *publicly accused*. He was at once put upon the defensive, and reduced to the alternative of either persisting in his accusation or of submitting to the stigma of the blackest ingratitude, perfidy, and calumny, towards one of the great political parties of the country, and of the basest hypocrisy and deceit towards the other, — to the alternative, in brief, of maintaining publicly what he had declared in secret, or of bearing through life a burden of infamy too heavy for mortal strength or hardihood under such circumstances. Not to persist in his former statements would be, in effect, to plead *guilty*; it would be to sink at once, and with a vengeance, from “glory” to “gloom,” from the “sublime to the ridiculous,” — I had almost said from “topaz” to “ebony!” Can Mr. A. flatter himself, upon such authority as this, the people of the United States will pronounce sentence against their confidential and long-tried agents, the living and the dead?

It is particularly worthy of observation that Mr. A.’s disclosures against the Federal party in the form in which he has chosen to present them to the public, are, even if untrue, absolutely incapable of *direct disproof or positive contradiction*. This remark is equally applicable to all the statements which have been published on this subject under his name or avowed sanction.

“He hath a wisdom that doth guide his valor to act in safety.” Thus, although he has implicated in his project an

important and (as he represents it) a formidable portion of the Federal party, yet, as he has studiously avoided, except in a single instance (*which did not require it*), the mention of any one individual *by name*, he has secured to himself the very convenient resource of exculpating *in detail* every one whom it may be hazardous to accuse or prudent to conceal ; while he repeats the accusation against them *collectively*. So economical, indeed, has he been of this resource, that, where directly and civilly inquired of by a number of most respectable gentlemen in Massachusetts interested in the inquiry to declare *who* were the conspirators he had denounced, he takes exceptions to the form of the interrogatories ; pleads to the *disability* of the inquiries ; demurs specially ; alleges a *misjoinder* of parties ; "saves," "reserves," and "protests" like any special pleader ; and, at length, utterly refuses to make any direct answer. To the naming of names he appears to feel as strong a repugnance as Madge Wildfire herself : "Never ask folks' names ; it's maist uncivil thing, maybe.

If ye dinna ken their names, ye ken there can be na mair speered about it." If he who can thus palter and tamper and sport with the fame of his fellow-men, is allowed to turn their characters and memories into a *commodity* for his own profit, Mr. A. is cheaply provided with a capital stock on which he may traffic to his life's end.

As regards Mr. Tracy, whom *only* of the whole Federal party Mr. A. has vouchsafed to name, it may be proper to state that he has now been in his grave for nearly twenty-two years. The other member of Congress who is alleged to have been present at one of the conversations between Mr. T. and Mr. A. happens also to be *dead*, and is hitherto *nameless*. Whether there is any deep philosophy in Mr. A.'s apparent preference for dead and anonymous to living and known authority, which might confront him, I cannot presume to determine ; but, as "dead men," according to the proverb, "*tell* no tales," so, on the other hand, they can *contradict* none.

How remarkable it is, also, that, even if Mr. Tracy's alleged communications to Mr. A. could be, and actually were, directly

disproved, a safe retreat is still provided for Mr. A.'s veracity; for, in naming his informant, he speaks only from the "best of his recollection," and is not "perfectly certain" *from whom* he received his information. Indeed! And if he is not perfectly certain, — if his recollection be, as he confesses, *uncertain*, — why is not the "other" member of Congress also named? Or, rather, why, "contrary to his wont," has Mr. A. ventured, while in such uncertainty, to implicate any particular individual in so grave a charge, and especially one reposing in the dust? Is it decent or just that the memory of a man who, while in life, was long invested with high public trusts, and who enjoyed to the end of his days the esteem and confidence of the greatest and best men of the nation, should be assailed or subjected to suspicion upon the bare authority of *vague and doubtful recollection or conjecture*? If so, the best security for posthumous fame is a speedy oblivion.

Mr. Tracy, it is well known, was a man of unusual tact and address, in all situations, and a most acute judge of the *characters* of men. Few persons better understood, or more intuitively perceived, not only the marked peculiarities, but the nicer and less obvious features, of the human character. He was also early and well acquainted with Mr. A., and was not ignorant of the strength and obduracy of his personal resentments and antipathies. He knew, moreover, what many perhaps at that time did not, — the terms on which Mr. A. stood with General Hamilton. The brilliant and exalted character of that great man had long been, to the House of Brintree, an object of deep jealousy and resentment. "Under him," Mr. A. had felt his "genius rebuked;" and, of all mankind (not excepting even Mr. Ames, or Colonel Pickering himself), General H. was to Mr. A. probably the most odious. In the *hereditary* and cherished antipathies of Mr. A., General H., it is believed, had no rival. All this Mr. Tracy well knew; and that a man, like him, in the exercise of his understanding, should have hoped to obtain the accession of such a man as Mr. A. to the "project" of the Federal leaders, by proposing a measure which *he knew would be most revolting to Mr. A.'s whole soul*; that he should have proposed Gen-

eral H., as the leader of a great public enterprise, to Mr. John Q. A., is, modestly speaking, something *strange*. The inherent probability of the thing is much the same as that the conspirators in the Gunpowder Plot should have endeavored to engage in that enterprise King James himself and his Parliament. It is a little singular, also, that Mr. T. should have made Mr. A. the depository of so important a State secret, while his lips were absolutely *sealed* upon the subject to his long-trying, best known, and most intimate political friends and associates, whose accession to the project, if any such existed, must certainly have been contemplated by him. The survivors of the Connecticut delegation, who were in Congress with Mr. Tracy at the period in question, were not only his political, but his *personal* friends. He and they were uniformly advocates of one and the same political system. With most of them from his youth, and with all of them long before the year 1804, he was in habits of the freest and most confidential communication on all subjects connected with public affairs. And that he should so guardedly have concealed this same project from *all* those gentlemen as not to give the slightest intimation of it to any one of them, while he divulged it so unreservedly to Mr. John Q. Adams, of Massachusetts, must be a little puzzling to ordinary understandings.

The following are the questions addressed by me to the several survivors of the Connecticut delegation of 1803-4:—

1. Were you a member of Congress, attending as such at Washington, in the spring of 1804, or during the session of 1803-4?

2. Were you, at that period, one of those who composed what was denominated the *Federal* party?

3. Were you, during the same period, in habits of familiar and confidential communication in regard to the politics and public affairs of the country with the late Mr. Tracy, then a Senator from this State?

4. Did he ever, during that period, or at any time, confer with you respecting any such combination or "project" as that above referred to, and which Mr. Adams has lately and

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**NEW ENGLAND FEDERALISM.**

~~publicly~~ publicly imputed to the leaders, or to "certain leaders," of ~~the~~ Federal party of the same period?

5. Did you ever hear Mr. Tracy assert, or in any manner speak of or allude to, the existence of any such project or combination? Or, did you ever, during that period, know or hear of its existence?

The answers returned to these questions are here subjoined:—

*From Hon. James Hillhouse.*

NEW HAVEN, April 8, 1829.

DEAR SIR,—In answer to your letter of the 30th ult., I can only say that, during the session of Congress in 1803 and 1804, Mr. Tracy and myself attended as Senators from the State of Connecticut, and were in habits of intimacy and friendship. I can with confidence say that, during the session of Congress, or at any other time, either before or since, I never heard or knew of any combination or plot among the Federal members of Congress to dissolve the Union of those States, or to form a Northern or Eastern confederacy. Nor do I believe there ever was any such combination or plot. Sure I am that I never heard Mr. Tracy express a sentiment of that sort. I always considered that kind of charge as merely party slang, to answer party purposes.

With sentiments of esteem, I am, dear sir, your obedient servant,

JAMES HILLHOUSE.

HON. JAMES GOULD.

*From Hon. John Davenport.*

STAMFORD, April 6, 1829.

MY DEAR SIR,—Yours bearing date of the 30th March, wherein you alluded to the project stated to have been formed by the leaders of the Federal party of 1803-4, for the dismemberment of the Union, and the establishment of a separate government for the Northern and Eastern States, has been duly received.

In reply to your queries, I would say that I was attending at Washington, as a Representative in Congress, during the session of 1803-4, and I was one of those who composed the Federal party of that day. I was then, and at all times, in habits of confidential and familiar intercourse with Mr. Uriah Tracy; and, as we resided in the same house, we were much together.

I never, at any time, *to the best of my recollection*, heard him in any way speak of, or allude to, the combination which Mr. Adams now asserts to have then existed. Nor do I believe in the existence of any such plan, excepting only in the brains of Mr. Adams and Mr. Plumer.<sup>1</sup>

Your obedient servant,

JOHN DAVENPORT.

JAMES GOULD, Esq.

*From Hon. John Cotton Smith.*

SEABOARD, April 2, 1829.

DEAR SIR,—I have received your letter of yesterday, and will cheerfully answer your inquiries.

The charge of projecting a dismemberment of the Union, at the session of Congress in 1803-4, which Mr. Adams has exhibited against "certain leaders of the Federal party," was as new and surprising to me as it could have been to yourself or any other individual. Indeed, I must have felt a much greater degree of surprise than most of my fellow-citizens, who had not the same means of ascertaining the existence of such a project. I was a Representative from this State, and in my place during the whole of that session; and, without pretending to have been a "leader" of the Federal party, I may fairly claim to have enjoyed a friendly and confidential intercourse with every gentleman entitled to that distinction. From no one of them did an expression ever escape, in my hearing, which could be construed into a sentiment in the least degree hostile to the perfect Union of these States,—not a word inconsistent with that high and generous

<sup>1</sup> For Mr. Plumer's letter, see p. 144.

attachment to the confederacy by which the party had ever professed to be governed, and which is so significantly indicated by the very name they had assumed. Your highly respected father-in-law, the late General Uriah Tracy, is of course included in these remarks. With him I had been, as you know, in habits of friendship long anterior to our association in political life. With him, also, I was a fellow-lodger in the same boarding-house, during four of the six sessions I attended Congress. At no time, not even in his gayest humor (and a richer vein of humor, perhaps, no man ever possessed), have I heard him so much as allude to a separation of the States as an event to be either expected or desired. To talents of the first order, he added the most indefatigable industry in the national service, even when under the pressure of an inveterate disease; and it will require strong evidence to convince me that he had either leisure or inclination to plot the destruction of a fabric which he had so essentially contributed to strengthen and adorn. In short, my dear sir, I have no reason to believe, nor do I believe, that any plan for a division of the Union was ever contemplated, even for one moment, by any *Federalist*, in or out of Congress, *distinguished for either talents or influence.*

Sincerely and respectfully yours,

JOHN COTTON SMITH.

JUDGE GOULD.

*From Hon. Simon Baldwin.*

NEW HAVEN, April 7, 1829.

MY DEAR SIR, — I was a member of Congress in the winter of 1803–4, and resided at Washington until the close of that session, in a family of, I think, fifteen members of Congress, all from New England, and all, in the party designations of that day, Federalists. Mr. Plumer was of our family; Mr. Tracy was not, but an intimacy had subsisted between him and myself from early life. While at Washington, we saw each other frequently, — I may say, daily, — and were in habits of familiar and confidential communications on political subjects, both in private intercourse and in our social circles.



I am confident that Mr. Tracy did not, during that period or any time, confer with me upon or disclose any such combination or project as that referred to by Mr. Adams ; nor did I ever hear from him, or any other Federalist, during that session or at any other time, the suggestion of a plan to dissolve the Union, or to form a Northern or Eastern confederation, or an intimation of a wish that such an event might take place ; I never heard that a meeting for that object was proposed to be held at Boston in the autumn of 1804, until the publication of Mr. Plumer's letter.

I never claimed the honor of being a leader of the Federal party ; but I never suspected there was a want of confidence in me, or that any important party secrets were designedly withheld from me. If such a project had ever been communicated to me, I think I should not have disregarded or failed to remember it ; because I know, and have ever felt deeply, the importance of preserving our Federal Union.

I assure you I did not then, from any source, know, nor have I at any time since known, nor have I now any reason to believe or suspect, that such a project ever existed.

I am, with esteem,

Your friend,

S. BALDWIN.

HON. JAMES GOULD.

The following statement was handed me on the 6th instant, by my neighbor, Colonel Tallmadge, without the formality of an address :—

“I was a member of Congress, attending as such at Washington, during the session of 1803—4.

“I certainly was, at that period, one of those who composed what was denominated the Federal party.

“I enjoyed the friendship and confidence of the late General Tracy, fully for aught I know, during his life.

“General Tracy never conferred with me on the subject of forming a separate government in New England ; nor have I any reason to believe that such a project ever seriously entered into his mind. Although Messrs. Adams and Plumer assert their belief that *certain leaders of the Federal party from New*

*England* actually entertained the idea of forming a separate New England government, and that a combination was actually formed for that purpose, I have no belief that such combination or project was formed (unless the aforesaid Adams and Plumer, then passing for Federalists, will allow that they entertained the idea); nor can I suppose that General Tracy would have countenanced such a nefarious conspiracy for one moment.

B. TALLMADGE."

*From Hon. Calvin Goddard.*

Norwich, April 9, 1839.

MY DEAR SIR,—I regret that circumstances have prevented my giving an earlier reply to your letter of the 30th ult.

I was a member of Congress, and was one of those who composed what was denominated the Federal party. I attended in my place in Congress about one-half of the session, which commenced in October, 1803, and terminated in March, 1804. I was absent from Washington the last half of that session, on account of indisposition in my family, and of course not there at the precise period alluded to. But I did not leave Washington until a considerable time after the ratification of the treaty by which Louisiana was acquired and the passage of all the laws to carry it into effect.

The late Senator Tracy had been a long time in public life before I became a member of Congress; prior to which I was not intimately acquainted with him. I was a Representative in Congress from 1801 till the spring of 1805, and was attending on the duties of my place all that time (with the exception already made), and a boarder in the same boarding-house with Mr. Tracy almost, if not quite, all that time. Severe sickness in the winter of 1801–2 caused me to devote considerable attention to Mr. T., and probably increased the friendship and confidence with which he ever after honored me; and I have no hesitation in saying that I never did hear Mr. Tracy "assert, or in any manner speak of or allude to,"

the existence of any project or combination such as is ascribed to certain leaders of the Federal party by Mr. Adams, and said to have been communicated to him by Mr. Tracy. I never did, during that or at any other period, know, hear of, or suspect the existence of such a project; and, from the frankness with which Mr. Tracy was in the habit of expressing his opinions, and from the intimacy of my intercourse with him, it will be difficult for me to believe that it could have existed with his knowledge, and never have been mentioned in my hearing.

I was absent, as I have remarked, in the spring of 1804; and, if this project existed then, it must have been *begun, continued, and ended*, before Congress again assembled, in December of that year, — which was after the lamented death of General Hamilton, which occasioned so much conversation and such deep regret among his personal friends, of whom I believe Mr. Tracy to have been one; and I never heard his name mentioned, or hinted at, as having any connection, directly or indirectly, with any such project as has been suggested. I regret exceedingly that the feelings of yourself and other survivors of his family should have been disturbed at this distance of time by such a charge from such a source as this comes; and I shall rejoice if my testimony shall be useful to you in rescuing the memory of your respected relative from an imputation which, I have no doubt, is wholly unmerited.

With sentiments of esteem, I am, dear sir,

Your friend and obedient servant,

CALVIN GODDARD.

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In some of the letters containing the above answers, a few passages which are merely introductory, or which are but *recitals* of my inquiries, are omitted. Being unwilling to trespass further upon your patience, I here leave the public to its own conclusions, and am, gentlemen,

Your obedient servant,

JAMES GOULD.

P. S. — I find at this moment (April 18th) that I have by accident omitted, in the Connecticut delegation of 1803-4, the Hon. Samuel Dana. He has not till now occurred to my memory as a member of Congress at that period ; I therefore made no inquiry of him. I regret the omission, but am unwilling to delay this communication any longer.<sup>1</sup> J. G.

<sup>1</sup> A memorandum of William Plumer, under date of May 11, 1820, published in his *Life* (p. 208), makes the following comments on these letters : —

"There is no circumstance in these publications that surprises me so much as the letter of James Hillhouse. I recollect and am certain that, on returning early one evening from dining with Aaron Burr, this same Mr. Hillhouse, after saying to me that New England had no influence in the government, added, in an animated tone, 'The Eastern States must and will dissolve the Union, and form a separate government of their own ; and the sooner they do this the better.' I think the first man who mentioned the subject to me was Samuel Hunt, a Representative from New Hampshire. He conversed with me often and long upon the subject. But there was no man with whom I conversed so often, so fully and freely, as with Roger Griswold. He was without doubt or hesitation decidedly in favor of dissolving the Union, and establishing a Northern confederacy. He thought it might be effected peaceably, without a resort to arms, and entered into a particular detail of the mode of effecting it. Next to Griswold, Uriah Tracy conversed most freely and fully upon this subject. It was he who informed me that General Hamilton had consented to attend a meeting of select Federalists at Boston, in the autumn of 1804. I do not recollect that he said Hamilton was in favor of the measure ; but I know he said Hamilton had consented to attend. Tracy said the day for meeting was not appointed, nor were the persons who were to attend selected ; but that I should be notified of the time, and invited to attend. It was Tracy who, in the session of 1804-5, informed me that the death of Hamilton had prevented the meeting in Boston ; but he added, The plan of separation is not abandoned. The three men last named — Tracy, Griswold, and Hunt — were the men with whom I principally conversed on that subject.

"One day in the session of 1804-5, I distinctly recollect walking about two hours with Timothy Pickering round the northerly and easterly lines of the city of Washington ; and on that walk no other person accompanied us. I perfectly recollect his conversing with me at that time as if he were desirous of saying something to me which he hesitated to communicate. His manner made such a strong and deep impression on my mind that I shall never forget it. At length he said that he thought the United States were too large, and their interests too variant, for the Union to continue long ; and that New England, New York, and perhaps Pennsylvania, might and ought to form a separate government. He then paused, and, looking me fully in the face, awaited my reply. I simply asked him if the division of the States was not the object which General Washington most pathetically warned the people to oppose. He said, 'Yes ; the fear of it was a ghost that for a long time haunted the imagination of that old gentleman.' I do not recollect that he afterwards mentioned to me the subject of dismemberment."

## X.

## TO THE CITIZENS OF THE UNITED STATES.

I APPEAR before you in answer to an appeal addressed to you by thirteen citizens of my native State of Massachusetts, who have thought proper to denounce me as an "unjust accuser." Whether I am, in this respect, a man more sinned against than sinning, it will be the purpose of this paper to enable you to judge with impartiality; and that is all I shall ask of you in coming to the determination.

I retort upon them distinctly and explicitly the charge of unjust accusation. The question between us involves not only the most important transactions in the history of the Union from 1804 till 1814, — a period of ten years, during which it was my fortune to be charged with public trusts of the greatest moment, — but events, intrigues, and passions, of many preceding years.

Before proceeding to meet the argument of their appeal, it will be necessary for me to invite your attention to the inquiry, Who are my accusers? What is their accusation against me? And what is the accusation they assume me to have made against them?

In answering the inquiry, I deem it necessary to mark with signal discrimination the line between the individual and the political character. Among them are men for whom, through a period of more than forty years, I have cherished a personal friendship which was among the most precious of my life. It has never been violated by me. Nor, if their treatment of me now has taught me a new lesson of the value of earthly friendship when coming in collision with prejudice and passion, shall it yet be violated by me. But, of the whole number, there is not one who ever had the right of calling himself, politically, my friend; not one who has ever been my friend

when his friendship was needed by me, or could avail me any thing. At such times they have always been my opponents,—opponents, most of them, of my father before me. They are the surviving remnants or children of a portion of the Federal party long known by the name of the “Essex Junto;” admirers and partisans of Alexander Hamilton when he was publishing his pamphlets of slander upon my father. To this they have themselves thought proper, in their appeal, to allude, and in terms sufficiently significant of their own feelings, however much they have mistaken and lacerated mine. That natives of Massachusetts should now speak of my father’s feelings towards Alexander Hamilton as they have done, may be very congenial to their own; but I mark it to show with what singular consistency they would cast, in the same publication, upon me the reproach of having ever abandoned my former friends,—meaning thereby themselves.

Where, among them, was the friend to abandon?

These are my accusers,—the relics, the mouldering relics, of the Essex Junto. That among them should appear the name of Franklin Dexter would have surprised me, could any thing in political vicissitude, at my time of life, surprise. Well might he withhold his signature from a defence of the Hartford Convention, for the vindication of his father’s fame. I hope he will forgive me the infectious rudeness of my answer to his remark that he has seen no proof, and shall not readily believe, that any portion of his father’s political course is to be attributed to the influence of my confidential conversations with him in 1809. Be it so. Then his father arrived at the same conclusion upon other evidence entirely independent of mine. That he did arrive at the same conclusion, I take it for granted Mr. Franklin Dexter will not deny. That rests upon other evidence than mine.

And what is their accusation against me? That I have declined complying with the most extraordinary demand that ever was made from man to man. They come to me, thirteen to one, and say, “Sir, you have charged ‘certain leaders’ of the Federal party with treasonable designs at a particular

period of our history; and you have said that for this you had evidence satisfactory to your own mind, but not provable in a court of law. Now, we demand of you, not whether you meant to include us, or any one of us, in this charge, but who you meant, and what was your evidence. We are not, and never were, leaders of the Federal party; but we assume to speak in the name, not only of all the leaders, but of the whole party, past and present, throughout the State of Massachusetts and Maine. We call upon you to criminate yourself. We insist upon it that you shall give us matter of indictment against you for a false, scandalous, and infamous libel; for you have told us that you cannot prove the fact in open court, and so we mean to intimidate you by our numbers, wealth, and power. Come, sir, give us the names of your Federal leaders, and all your evidence charging them with treason."

Fellow-citizens, this modest and moderate demand was made of your then Chief Magistrate, the President of the United States, — not, indeed, in the plenitude of his power; for, while that had lasted, who so kind, so courteous, so hospitable to him as some of these very men? No: it was at the very moment when, to use an expression of their own, the public favor seemed to have deserted him, — at the close of his career of public service, when he had no longer any power to exercise, or favors to bestow, — at the very moment when the favor of the successor to his station might best be propitiated by a rancorous and unrelenting persecution of him.

This objection to compliance with their demand was so obvious that I could not conceive how it had escaped their own sense of justice, and, I will add, of decency. I reminded them of it, and of the maxim of universal justice, not only in every land of freedom, but even in some of the darkest despotisms, — that no man can be required to criminate himself. And I put the question to them, what guarantee they could offer me against a prosecution by others than themselves. What is their answer? That *they* would not have prosecuted; because their appeal was, and would only be, to the tribunal

of the public. They could answer for no man but themselves. Their pretension to make the demand for others, without authority, was essentially usurpation of their rights, as it was essentially tyranny over mine.

It was not, however, the dread of prosecution which deterred me from giving the names or the evidence to which I had referred. It was the principle of usurpation and of oppression which I determined to resist. I had both names and evidence, that I could have given them, amply sufficient to justify any charge that I had made ; but the only charge for which I was responsible referred to events twenty-five years distant, and *almost* every name that I could have given was of persons now slumbering in the tomb. Had I named them, and had my evidence been as conclusive as demonstration itself, an universal sentiment of reprobation would have followed the disclosure. It would have harrowed up the souls of widows for the memory of beloved husbands ; of children for the fame of departed sires ; of friends and neighbors delighting in the remembrance of time-honored associates. I had said that the evidence which I possessed was not provable in a court of law : it was hearsay, — hearsay from different persons, and at different times and places, communicated to me in confidence by persons of the most unquestionable character, but now all in the grave. What right had I to burst the cerements of the sepulchre, to betray the sacred confidence of my informers, to drag forth from the charnel-house of death witnesses who had secretly revealed to me the unhappy and fatal secrets of others now, like themselves, sleeping with their fathers ?

The accusation against me, therefore, of my thirteen correspondents, whom I shall take the liberty to designate by the name of the "Confederates," is altogether unjust. They called upon me to criminate myself ; to criminate others, they knew not whom ; to betray confidence ; and to violate the repose of the dead. And all for what purpose ? To disculpate themselves ? Not at all. I have offered to each and every one of them to answer candidly and explicitly, for public exposure, or for his private satisfaction, any question



which he might be disposed to address to me with regard to his own participation in the charge which I had made against certain Federal leaders. Not one of them has thought proper to address to me any such question. They have all shrunk from the inquiry. With what color of reason, then, can they pretend to hold me up to public view as an unjust accuser? And what is the accusation which they assume me to have made against them? Nothing. They expressly disclaim the characters to which my charges were exclusively confined. They totally misapprehend or pervert the nature of the charges themselves. They call upon me not only to convict myself with slander upon some of the officers of whom they profess to be the rank and file, but to name those officers and produce all my evidence against them, and to confess that the charge which I made against them was treason; when the express purpose of the paper which has roused their undying rancor and revenge was to deny, utterly to deny, that I had ever made a charge of treason against any man.

They further assume not only that my accusation against whomsoever directed was for *treason*, but that it was against the whole Federal party in Massachusetts and Maine, from 1804 to 1814; and they argue, with all their united and eminent ability, that the charge is in substance against the two *States* themselves. This agonizing effort to entangle the sympathy of the whole Federal party with their own cause, to associate themselves with the honor and interest of their and my native State, and to mingle the deadly aconite of their own hatred of me with the honest pride and pure patriotism of a whole people, to whom I am attached by ties of the most affectionate gratitude, shall not pass undetected. My answer to it, fellow-citizens, shall consist in the whole statement of the position:—

The Hartford Convention, and the honor and interest of Massachusetts and Maine,—strange, passing strange bed-fellows!

Such, then, are my accusers; such the nature of their accusation against me; and such the nature of the accusation which they assume me to have made.

I ask your particular attention to the attitude in which they appear before you. It is avowedly not for themselves : it is as the champions of a party, — the self-constituted representatives of all the Federalists of Massachusetts and Maine, the official defenders of the Hartford Convention. This party had for some years dwindled into a small minority of the people of those States ; it had even professedly become extinct. This was the first signal of its revival in all its primitive strength.

It remains to be ascertained what the accusation was, made by me, and of which the thirteen confederates volunteer to complain in the name and behalf of the Federal party, past and present, in the State of Massachusetts and Maine ; and, to the correct conception of this statement, it is indispensably necessary to strip the real charge of all its accessories of falsehood accumulated upon it from four distinct sources : First, from the substitution, by Mr. W. B. Giles, of Virginia, of his invention for his memory, in his narrative of my political relations with him ; secondly, from the decayed memory of Mr. Jefferson, blending together the transactions of seven years, and ascribing to information from me in March, 1808, his knowledge of facts which happened in 1809, in 1812, and in 1814, when I was in another quarter of the globe ; thirdly, from the wilful falsehoods of a liveried libeller in Boston, himself a Federalist, intimately connected with the first of the confederates ; and, fourthly, from the confederates themselves, who have found it more convenient to call me to account for all these imputations of others, than for what I had actually affirmed myself.

What, then, is the charge, or what are the charges, for which I am responsible, — first, to you, my fellow-citizens, my judges upon this appeal ; and, secondly, to the Federal party in the State of Massachusetts and Maine, as it existed in the supremacy of its power from 1804 to 1814, inclusive ?

First, That in March, 1808, in a confidential interview with Mr. Jefferson, I informed him that I had, in the course of the preceding summer, seen a letter from the Governor of Nova Scotia to a person in Massachusetts, obviously intended to propagate the calumny that Mr. Jefferson and his administra-

tion were basely and corruptly subservient to the influence of France ; and that this influence was exercised to kindle a war between the United States and Great Britain, and to effect a revolution in the government of the United States, and the conquest by France of the British colonies on this continent.

Secondly, That, in the winter of 1808 and 1809, I being then a private citizen, residing at Boston, and being invited by letters from several members of Congress to give them in the closest confidence my opinion in regard to measures then pending before that body, did, in like confidence, most earnestly and urgently advise them to repeal the embargo, which had then existed a full year ; and, — as the only alternative then presented for consideration was a non-intercourse with both the belligerent powers, which, by orders in council and decrees of pretended mutual retaliation, were sacrificing to their robberies all neutral commerce and navigation, — that this non-intercourse should be substituted for the embargo, to save the country from the imminent danger of a civil war, and of a consequent dissolution of the Union ; that, if the embargo should be much longer continued, I believed its execution would be forcibly resisted, with the sanction of the legislature, and probably of the judiciary of the State ; that the attempt of the general government to enforce it would produce a civil war, in which event certain leaders of the party, — which then ruled, by a very slender majority, the State legislature, — in my belief would, and necessarily must, seek the assistance and co-operation of Great Britain ; that they had for several years entertained the project for a division of the Union, and the formation of a new Northern confederacy ; that this project had been known to me almost from the time of its formation, immediately after the acquisition of Louisiana ; that my information of this fact was satisfactory to my own mind, though by evidence not provable in a court of law ; that the Federal party in general neither knew of the existence of this project, nor believed in it ; but that the majority of the State legislature was influenced by the projectors ; and that a civil war, produced by resistance to the embargo, would infallibly promote their designs.

This was my advice, earnestly given, in the return of solicited confidence, with a heart full of anguish for the dangers impending over the country, and full of solicitude for its union ; and these are the statements for which now, after the lapse of twenty years, — fourteen years after the total extinction of the project, when the tempest had subsided, and the friendships of summer had returned to welcome its serene atmosphere and cloudless sky, — the weather-beaten, scattered remnants of the Essex Junto rally at the signal from their leader, replant their standard upon the outer wall, and, in the hour of my misfortune, send the first herald of their defiance to me.

These, then, are the two charges for which they would brand me before the face of my country with the opprobrious appellation of an unjust accuser ; and I pray you, my countrymen, in trying the issue between them and me, to keep them confined to these real charges, to this head and front of my offending, and not suffer them to travel out of the record for inculcation of me by the tale of fiction from the pen of Mr. Giles, by the unintentional but demonstrated confusion of times and things in the memory of Mr. Jefferson, by the shameless falsifications of the Boston libeller, or by the ingenious rhetorical amplifications of my accusers themselves.

And, first, please to observe, that in neither of these charges did I accuse any man of *treason*. The first charge was no accusation against them at all ; yet it was the whole of any communication that I ever made to Mr. Jefferson concerning them. It was a fact, very simple of itself, but indicating that the Governor of Nova Scotia, through a correspondent in Massachusetts, was tampering with their hatred of Mr. Jefferson and with their terrors of Napoleon Bonaparte. These gentlemen are now disposed to treat this menace of the power of Napoleon in these United States with great levity. They think it savors of burlesque that, in 1807, after the battle of Trafalgar, there could be any possible fear of danger in the United States of the power of Napoleon ; and they consider it as furnishing a measure of my credulity and of the weakness of my judgment that I should have thought

this idle story calculated to produce effect. Fellow-citizens, *tempora mutantur et nos mutamur in illis*. If any of you are solicitous to know what was in 1807 the creed of the Federal leaders — ay, and of as many of these confederates themselves as were then of an age to have any political creed at all — concerning the dangers of the power of Napoleon to this country, look into the works of Fisher Ames; and there you will find upon whose credulity the conqueror of Marengo and of Jena, of Austerlitz and Friedland, had stamped images of terror which could scarcely find a parallel but in the regions of the damned. There you will find who it was who thought the dread of Napoleon after the battle of Trafalgar was calculated to produce effect. I then partook but little of those terrors. I ventured in a review of that book to treat them with almost as much derision as the confederates do now; and one of the bitterest political invectives which it has ever been my fortune to endure was a pamphlet published, after I had left this country, to punish me for my irreverence to the tremendous comminations of Bonaparte's power which had haunted the imagination of Mr. Ames, and which some of the leading Federalists of the day had reproduced after his death, to produce effect by this publication of his works. Of this pamphlet, perhaps, one of the confederates can inform you who was the author.

I admit, readily admit, that the fact of which I apprised Mr. Jefferson was of very little consequence in itself. I insist that it was neither a denunciation nor an inculcation of any Federalist whatever. The confederates argue, against fact, that I must have told Mr. Jefferson at that time of the projected Northern confederacy, about which I wrote to my friends in Congress nine months afterwards. But this suspicion is entirely unfounded. That project, as I have before said, had slumbered from the summer of 1804, from causes which I shall hereafter notice; and, on the day of my interview with Mr. Jefferson, I had not the reason to believe in its revival that I had shortly afterwards. But there has been so much wilful falsehood, and so much accidental misinterpretation, upon the subject of this interview of mine with Mr.

Jefferson, that I shall give you a full detail of my conduct from the time when I took my seat in the Senate, that you may judge of it in all its bearings, and particularly upon this occasion. It may suffice now to say, that among the foulest and most malignant slanders by which the administration of Mr. Jefferson was at that time assailed was the pretence, universally accredited by his opponents, that he was unduly swayed by French influence; and that this influence was busily exerted to produce a war between the United States and Great Britain. As the rupture of Mr. Rose's negotiation approached, insinuation and direct assertions to this effect were thrown out in the halls of Congress, till, on the 2d of March, 1808, they produced a duel between two distinguished members of the House of Representatives, which shortened, and well-nigh instantly terminated, the life of one of them. The day after this event, Mr. Wilson Cary Nicholas, then a member of the House of Representatives from Virginia, requested an interview with me; and, in a confidential conversation of two or three hours on the general state of public affairs, expressed to me his extreme concern at the extent to which this slanderous tale of French influence was accredited, and he asked me if I was aware of any manner by which it could be counteracted. I told him that, in the part of the country from which I came, I had reason to believe that much of this scandal of French influence was traceable to the British government itself, through the correspondence of their provincial governor in the North with Boston; and I added, that, in the course of the preceding summer, I had myself seen a letter from the Governor of Nova Scotia of the purport above described. Mr. Nicholas thought this communication not quite so insignificant as it now appears to the revised opinions and invigorated valiancy of the disciples of Fisher Ames; but he earnestly requested me to call upon Mr. Jefferson and converse with him upon the subject, assuring me that he himself would declare to me the utter falsehood of every pretension that he was under the influence of France. I did accordingly call at the President's house on the 5th March; but, Mr. Jefferson being engaged upon business, I did not then see him. Seven days after-

wards, Mr. Giles, then a Senator from Virginia, with whom I was every day sitting upon important committees, and whose ardent professions of friendship and confidence at that time have since been washed into immortality by the waters of Lethe, repeated to me the request first made by Mr. Nicholas, and afterwards by Mr. Robinson of Vermont, — that I would call upon Mr. Jefferson; and I did call on the 15th of March. The sneer of the confederates about the adjustment of the diplomatic preliminaries is just as near the truth as was the insignificant disclosure of the Governor of Nova Scotia to his Boston correspondent.

But the real importance of this incident, in a historical point of view, is, that it gave to Mr. Jefferson the first intimation of that channel of communication between the cabinet of St. James's and Boston which became afterwards of such conspicuous notoriety by the mission of Mr. John Henry. He, indeed, was the ambassador of the Governor-General at Quebec. What diplomatic preliminaries were adjusted by him at Boston, and with whom, we have not yet been told. There is much secret history connected with that individual's mission, which may yet edify you, my countrymen, if those who were his intimate associates during his visit to Boston can prevail upon themselves to disclose it. Whether any of my confederate correspondents were of the number is known to themselves, and not otherwise than by hearsay to me; for John Henry kept as inviolable a secrecy of *names*, as the Hartford Convention bound its members and secretary to, with regard to their debates and proceedings. That the confederates, so utterly ignorant of the projected Northern confederacy in 1804, and of the correspondence of the Governor of Nova Scotia with Boston in 1807, should be equally ignorant of the visit of Mr. Henry to Boston, or of his business there in 1809, would be altogether natural; and yet his conferences and his discussions there were not with the spirits of just men made perfect. They were surely with men of flesh and blood. It is, I hope, a conjecture not to the last degree violent and disingenuous, that they were with certain leaders of the Federal party. And if there be among the

confederates one with whom John Henry was, during his visit to Boston, upon terms of familiar intimacy, and if he values his reputation with posterity as an American patriot and a friend to this Union, I advise him no longer to lurk under the shelter of Henry's fidelity and discretion, but manfully to come out, and tell the world what were his confidential communications with that British emissary. Let him inform you whether it was from him that Henry received the knowledge thus stated in his despatches to the Governor-General:—

“BOSTON, March 5, 1809.

“I have sufficient means of information to enable me to judge of the proper period for offering the co-operation of Great Britain, and opening a correspondence between the Governor-General of British America and *those individuals who*, from the part they take in the opposition to the national government, or the influence they may possess in any new order of things that may grow out of the present differences, *should be qualified to act on behalf of the Northern States.*”

Again:—

“BOSTON, March 7.

“I have now ascertained, with as much accuracy as possible, the course intended to be pursued by the party in Massachusetts that is opposed to the measures and politics of the administration of the general government.

“I have already given a decided opinion that a declaration of war is not to be expected; but, contrary to all reasonable calculation, should the Congress possess spirit and independence enough to place their popularity in jeopardy by so strong a measure, *the legislature of Massachusetts will give the tone to the neighboring States, will declare itself permanent until a new election of members, invite a Congress to be composed of delegates from the Federal States, and erect a separate government for their common defence and common interest.*

“The Congress would probably begin by abrogating the offensive laws, and adopting a plan for the maintenance of the power and authority thus assumed. *They would, by such*



*an act, be in a condition to make or receive proposals from Great Britain; and I should seize the first moment to open a correspondence with your Excellency. Scarce any other aid would be necessary, and perhaps none required, than a few vessels of war from the Halifax station to protect the maritime towns from the little navy which is at the disposal of the national government. What permanent connection between Great Britain and this section of the Republic would grow out of a civil commotion such as might be expected, no person is prepared to describe; but it seems that a strict alliance must result of necessity. At present, the opposition party confine their calculations merely to resistance; and I can assure you that at this moment they do not freely entertain the project of withdrawing the Eastern States from the Union, finding it a very unpopular topic; although a course of events, such as I have already mentioned, would inevitably produce an incurable alienation of the New England from the Southern States. The truth is, the common people have so long regarded the Constitution of the United States with complacency, that they are now only disposed in this quarter to treat it like a truant mistress, whom they would for a time put away on a separate maintenance, but, without further and greater provocation, would not absolutely repudiate."*

Here is a very notable adjustment of diplomatic preliminaries; and it would be very interesting to you to be informed by whom they were adjusted, on behalf of the Northern States. If my confederate correspondents, who have been so intensely inquisitive of me, — assuming to themselves to speak authoritatively for each and every individual of the Federal party, past and present, for twenty-five years, — would further speak in the name of all, so as to inform you who it was with whom John Henry adjusted his preliminaries; who it was that informed him that, in the event of a declaration of war by Congress, the Massachusetts legislature would give the tone to the neighboring States, — would invite a convention of delegates from the Federal States, and erect a separate government for their common defence and common interest,

they would more justly deserve the thanks of their country, than in calling, with a tone of teachers of self-respect, upon me to give you names and evidence of precisely the same facts. When John Henry was adjusting his preliminaries at Boston, in March, 1809, I was not even there. I was at Washington, in professional attendance upon the Supreme Court of the United States. But, within three months before that time, I had written from Boston those confidential letters to my friends in Congress, which coincided so precisely in predicting what Henry declares to be intended, — that Mr. Jefferson's memory confounded his revelation and my prediction together. It is here, in this despatch of Henry, that, appears the project of a temporary secession from the Union, to rejoin it again afterwards, which Mr. Jefferson mentions as having been announced by me to him, but of which I never heard until the diplomatic correspondence of Mr. Henry was made public in 1812.

Fellow-citizens, let me repeat the request of your attention to this consideration, to show you the extreme injustice of the confederates in their call upon me for names other than their own. As they have undertaken for one and all, leaders and followers of their party, to question me, I call upon them in my turn to answer me for one and all. I ask them, then, who it was with whom John Henry adjusted his preliminaries in March, 1809? Let them not flatter themselves that it will be sufficient for them at this day to say, not to me but to their country, that John Henry was a traitor and a spy, and that Mr. Madison paid him too dear for his disclosures. There is no fact in history more clearly established than that of his mission, and his residence at Boston from the beginning of March till the middle of June, 1809. It has never been denied by the British government. They have never denied even the authenticity of the despatches, including the instructions from Sir James Craig, which he, Henry, communicated to the American government. What was the object of Henry's mission to Boston? Read what he says in his memorial to the Earl of Liverpool, then Prime Minister of Great Britain, enclosed in a letter to Mr. Peel of 13th June, 1811:—

"Long before and during the administration of your Lordship's predecessor, the undersigned bestowed much personal attention to the state of parties and to the political measures in the United States of America."

[Here an erasure of about four lines.]

"Soon after the affair of the 'Chesapeake' frigate, when his Majesty's Governor-General of British America had reason to believe that the two countries would be involved in a war, and had submitted to his Majesty's ministers the arrangements of the English party in the United States, for an efficient resistance to the general government, which would probably terminate in a separation of the Northern States from the general confederacy, he applied to the undersigned to undertake a mission to Boston, where the whole concerns of the opposition were managed. The object of the mission was to promote and encourage the Federal party to resist the measures of the general government; to offer assurances of aid and support from his Majesty's government of Canada; and to open a communication between the leading men engaged in that opposition and the Governor-General, upon such a footing as circumstances might suggest; and, finally, to render the plans then in contemplation subservient to the views of his Majesty's government.

"The undersigned undertook the mission, which lasted from the month of January to the month of June, inclusive; during which period . . . those public acts and legislative resolutions of the assemblies of Massachusetts and Connecticut were passed which kept the general government of the United States in check, and deterred it from carrying into execution the measures of hostility with which Great Britain was menaced."

Here is unfolded, in a clear, distinct, and explicit manner, the *object* of Mr. Henry's mission to Boston. Here, too, the erasures and the blanks are scarcely less significant than the written parts. Those with whom Henry adjusted his diplomatic preliminaries must have been at no loss to supply the erasures and to fill the blanks, had they been so disposed. It is evident that Henry claims great credit for his agency in

producing the acts and legislative resolutions of Massachusetts and Connecticut to which he refers ; but the links of communication between him and those assemblies are left in blank.

And here let me observe, not the ingenuousness, but the ingenuity, with which my confederate correspondents attempt to involve the whole Federal party, and even the whole States themselves, in charges made by me only against certain *leaders*, and which my correspondents have so rashly and so unnecessarily taken to themselves. What, think you, would have been the feelings of the people of Massachusetts and Connecticut, had it been disclosed to them at the time when their legislatures were passing those acts and resolutions, that they were concerted between certain leaders of those legislatures and a British emissary from Quebec ? What would have been the indignation and horror of the majorities of those legislatures which passed those acts and resolutions had they discovered at a third reading of them that they had been concocted in communion with an agent commissioned and accredited by Sir James Craig ? What would have been the fate of those leaders within or without the legislative halls upon which they were thus operating, if some Oberon from fairy-land could, at the moment when every member was about to vote, have opened his eyes to the dark conclave in which those acts and resolutions had been conceived ? No, no : it was not the people nor the States, it was not even the slender majorities in the legislatures who passed these acts and resolutions, that knew or suspected whence they came. It was the very small number of *leading men* with whom he was adjusting his diplomatic preliminaries.

It may doubtless be said that upon this point the pretensions of Henry are not to be credited ; that, in his memorial, claiming compensation for a dishonorable service, it was his interest to magnify the result of his exertions ; and that there can be no possible confidence in his veracity. Let, then, every proper allowance be made for the probability that he has exaggerated the effect of his intrigues ; certain it is at least that he considered those acts and resolutions as measures favorable

to the wishes of the British government, and that even the belief by the British cabinet that he had contributed to their enactment would sustain him in a claim for compensation.

That the object of Henry's mission was correctly stated in his memorial, is further shown by the instructions to him of Sir James Craig, dated Quebec, Feb. 6, 1809; where, after observing that the Federalists have no ill-founded grounds for their hopes of being nearer the attainment of their object than they have been for some years past, he adds, —

“It has been supposed that, if the Federalists of the Eastern States should be successful in obtaining that decided influence which may enable them to direct the public opinion, it is not improbable that, rather than submit to a continuance of the difficulties and distress to which they are now subject, they will exert that influence *to bring about a separation from the general Union*. The earliest information on this subject may be of great consequence to our government, as it may also be that it should be informed how far, in such an event, they would look to England for assistance, or be disposed to enter into a connection with us.

“Although it would be highly inexpedient that you should in any manner appear, as an avowed agent, *yet, if you could contrive to obtain an intimacy* with any of the leading party, it may not be improper that you should insinuate, though with great caution, that, if they should wish to enter into any communication with our government through me, you are authorized to receive any such, and will safely transmit it to me; and, as it may not be impossible that they should require some document by which they may be assured that you are really in the situation in which you represent yourself, I enclose a credential to be produced in that view. But I most particularly enjoin and direct that you do not make use of this paper, unless a desire to that purpose should be expressed, and unless you see good ground for expecting that the doing so may lead to a more confidential communication than you can otherwise look for.”

The object of Henry's mission, therefore, is fully ascertained, not only by his own memorial, but by his instructions

from Sir James Craig. It was by contriving to obtain the intimacy of the leading men of the Federal party in the Eastern States, to promote their object of bringing about a separation from the general Union, to offer them the assistance of Great Britain in effecting that separation, and to open a confidential communication between them and the Governor-General for that purpose. The proposition to Mr. Henry to go upon this mission was made to him in a letter from L. W. Ryland, Sir James Craig's secretary, 26th January, 1809. Henry was then at Montreal, and accepted the mission. His instructions from Sir James Craig were dated 6th February, 1809, as was his credential letter. He proceeded slowly from Montreal, through Vermont and New Hampshire, to Boston, whence his first letter is dated, 5th March, 1809. In his memorial to the Earl of Liverpool, in June, 1811, he refers that nobleman to despatches from Sir James Craig to the British government in June, 1808, in which despatches he states that Sir James Craig, in contemplation of a war consequent upon the affair of the "Chesapeake," had submitted to the British Ministry the arrangements of the English party in the United States for an efficient resistance to the general government, which would probably terminate in a separation of the Northern States from the general confederacy. This reference to the contents of Sir James Craig's despatches carries the proof with itself. It is an appeal to papers in the possession of Lord Liverpool to sustain a claim for compensation, to the person making the appeal, for services rendered in giving to Sir James Craig the information of these arrangements of the English party, — a denomination then perfectly well known in England, and which about that time was also designated in the British Parliament by the name of "General Pickering's party." This information Henry states that he had been long collecting, and had communicated to Sir James Craig soon after the affair of the "Chesapeake." And now, fellow-citizens, go back with me to the time when the Governor of Nova Scotia wrote the letter to his correspondent in Massachusetts, of which I apprised Mr. Wilson Cary Nicholas, Mr. Giles, and (at their request) Mr. Jefferson. It was the

summer of 1807, immediately after the affair of the "Chesapeake." Go back with me to the time when I gave this notice to Messrs. Nicholas, Giles, and Jefferson. It was from the 1st to the 15th of March, 1808, — three months before the despatches of Sir James Craig. Then read, and read to your children, the whole of the communications of John Henry to Mr. Madison in 1812; and ask yourselves, and tell your children, whether the inferences which I and Mr. Jefferson drew from that simple letter of the Governor of Nova Scotia were violent and disingenuous to the last degree or not.

It thus appears that in June, 1808, the Governor-General had submitted to the British government the arrangements of the English party in the United States for an efficient resistance to the general government, which would probably terminate in a separation of the Northern States from the general confederacy. This communication had been made upon the information given him by letters from Henry, copies of which he had transmitted in the preceding April and May; and they had been received with high approbation by the British Secretary of State, Lord Castlereagh. And what were these arrangements for efficient resistance? What else could they be in April, May, and June, 1808, but measures of resistance against the embargo? He expressly states that the whole concerns of the opposition were managed at Boston. The embargo was laid in December, 1807. On the 16th of February, 1808, Mr. Timothy Pickering addressed to the Governor of Massachusetts a letter, which he requested might be communicated to the legislature, then in session. Its object was to stimulate that body to this efficient resistance; and it contained the first call for a concerted resistance by the commercial States; the first suggestion of that which, after a succession of abortive attempts, finally resulted in the Hartford Convention. Weigh well, my countrymen, these symptomatic coincidences; read this letter of Mr. Pickering upon the embargo; recollect that the Governor of Massachusetts declined communicating it to the legislature; that a copy of it was then transmitted by Mr. Pickering to Mr. George Cabot, afterwards first delegate from Massachusetts to the Hartford Con-

vention ; and that a motion was made in the Senate to call upon the Governor for any communication which he had received from Mr. Pickering or me relating to the embargo ; and that this motion was made by Mr. Harrison Gray Otis, since known, as he himself has informed you, as the putative but not the real father of the same Hartford Convention, — chairman, however, of the committee of the Massachusetts legislature who reported the measure, and second delegate from Massachusetts to the Convention. The importance, then, of the fact of which I apprised Messrs. Nicholas, Giles, and Jefferson, in March, 1808, was in itself small. It denounced no one ; it charged no offence against any one, not even against the Governor of Nova Scotia, the writer of the letter, certainly not against any citizen of Massachusetts. And if, with this exposition of contemporaneous history ; Mr. Pickering's denunciation to the legislature of Massachusetts ; Mr. George Cabot's publication of it ; Mr. Harrison Gray Otis's call for it, together with any communications to the Governor upon the same subject by me ; the consequent proceedings of the Massachusetts legislature, then and at their subsequent May session ; Mr. John Henry's report of all these transactions, and his opinions upon their object and tendencies ; the transmission of this report by the Governor-General to the British government ; their high approbation of it ; and the subsequent appointment of Mr. Henry in January, 1809, upon a more comprehensive and more delicate mission to Boston, where all the concerns of the opposition were managed, — if, with all these concomitants, the letter of the Governor of Nova Scotia, that burlesque commentary upon Fisher Ames's works, is evidence only of my credulity, and a measure of my judgment upon the validity of other evidence, let my confederate correspondents bless themselves for the higher intelligence and deeper sagacity of their own minds ; and do you, fellow-citizens, forgive the dulness of my simplicity in believing that the Governor of Nova Scotia could terrify the gallant leaders of Boston Federalism in 1808 with such a bugbear as Napoleon Bonaparte.

Let us now come to the second of the charges which I am accused of having made against certain leaders of the Federal



party,—of having, from the time of the acquisition of Louisiana, in 1804, until the Hartford Convention, in 1814, harbored a settled purpose of severing the Union, and of establishing a Northern confederacy.

It is not true that I ever gave information of this design to Mr. Jefferson. I never was an informer to Mr. Jefferson of any thing against any person. I have stated the facts in confidence at divers times and to sundry persons, in conversation and by letter. Several of those letters have now been published. The following are copies of two, written to Ezekiel Bacon, then a member of the House of Representatives of the United States from Massachusetts, dated 17th November and 21st December, 1808 :—

BOSTON, Nov. 17, 1808.

MY DEAR SIR,—Your obliging letter of the 8th instant, with a copy of the President's Message at the commencement of the session, has come to hand. I see, with much concern, though without surprise, that the prospect of obtaining any thing like justice from the great belligerent powers of Europe is no better than it was at the close of the last session. The alternatives mentioned in your letter embrace all the varieties of policy between which a choice can be made. Among these, that of declaring war, I presume, will have the fewest advocates. The wrongs we are suffering from both the scourges of mankind are so similar that we would scarcely assume a foundation for a declaration against one which would not equally require it against the other; and a declaration against either would place the country in a more dangerous situation, and the administration in a deeper perplexity to get along, than can arise from the present state of things. A war with England would probably soon, if not immediately, be complicated with a civil war, and with a desperate effort to break up the Union; the project for which has been several years preparing in this quarter, and which waits only for a possible chance of popular support to explode. A war with France would be extremely unpopular in every part of the Union; for it would be odious to all the friends of the administration, as directly contrary

to the permanent interests and policy of the Union; and, although it would exactly meet the wishes of the *Tories*, yet it would not be with the view to support the administration in carrying on the war, but as a ground for pursuing further measures of attack against the administration itself. Nor is there any prospect that we should, at the issue of a war with either power, obtain any security for our rights which we may not as reasonably expect by further perseverance in the pacific policy. *War*, therefore, I presume, we shall not immediately have. Under the present state of affairs, to open our commerce, with permission to *arm* in defence of the exercise of neutral trade, would be *war* in the result, though it would be upon a principle more exclusively *defensive* than would be implied in a declaration. *Arming*, both public and private, was the system which, in my particular opinion, ought to have been adopted last winter, immediately after the embargo was first laid; but, at that time, I found very few of any party who thought with me; and now the season for it is passed, even if it was then expedient.

The circumstances, too, of the present time render it much more questionable to my mind than it was then. The British orders of council were then not sanctioned by Parliament; the Milan decree, and I know not how many others equally savage, had not issued. The very determination of resistance then manifested might have deterred from these extremities of outrage. The British government had not been stimulated to perseverance, either by the Spanish and Portuguese diversion in their favor, or by the open and shameless support which they have found from faction in this country.

Arming now would be less efficacious as a measure for preserving peace, would lead more inevitably to war, and would have less support from the approbation of the people. The real choice, then, seems to be between a continuance of the embargo and its removal, with a substitution of total non-intercourse with France and England in its stead; for, as to *submission*, I will not disgrace the Congress of this Union so much as to suppose that this project will receive any countenance from either branch of the legislative authority.

Between the embargo and the non-intercourse system, under my present state of information, I should strongly incline to the last. It would incur, indeed, a new hazard of eventual war abroad ; but I think it would remove the risk of war at home, for the present. I believe the embargo cannot possibly be continued much longer, without meeting direct and forcible resistance in this part of the country. The people have been so long stimulated to this forcible resistance, and they have been so unequivocally led to expect support from the State authorities in such resistance, that I do not think the temptation will be much longer withstood. If the law should be openly set at defiance, and broken by direct violence, under support from the State authorities, it is to be considered how the general government will be able to carry it through. No doubt, by military execution. But that will make civil war,—the very point at which the Tories are driving ; and, in the event of which, it may at least be conjectured that they have already secured British support and assistance ; for it is precisely in this form, an organized insurrection against the national government by State authority, that the project of disunion can alone be accomplished. That this project has been in serious contemplation of those whom you describe as being called in England “Colonel Pickering’s party,” for several years, I know by the most unequivocal evidence, though it be not evidence provable in a court of law. To this project, as matured, a very small part of the *Federal* party is privy ; the great proportion of them do not even believe its existence. They are not *prepared* for supporting this system ; and the object of the leaders is to take advantage of every circumstance which can enable them to work upon the popular mind to support the scheme of division by the necessary force. Now, the embargo is unfortunately one of those measures upon which the two public authorities may be brought in collision with each other ; and that the *party* has been laboring with unwearied industry to produce that effect, the proceedings of our legislature, the instigations to resistance against the embargo laws, on the pretence of their unconstitutionality, the countenance given to

this paltry pretence by a State judge, and the connection between his extra-judicial opinions and the attempts at forcible resistance which have already been made, and with the experiment upon the district court of Salem,—afford evidence which the most purblind observer cannot but observe. A non-intercourse, it seems to me, would not be so liable to this species of opposition as an embargo. Another reason for preferring it is, that, in the spirit of party, the faction is afraid of it; for, among themselves, I know that they chuckle and exult as much at the operation of the embargo, as in public they whine and rave against it. They now feel perfectly confident that the embargo will not answer its purpose as a compulsory measure; and they hope to see the government so pledged to it as not to be able consistently to depart from it. The non-intercourse would take away from them a great part of the two impostures by which they have been playing upon the jealousies of the people,—that the administration act under the dictates of France, and that they intend the total annihilation of commerce. I do not mean that it would entirely remove these despicable calumnies; for popular jealousy, like individual jealousy, will feed and thrive upon trifles lighter than air: but the machines would not work so well under the non-intercourse system as they will under the continuance of the embargo.

I am aware that, in reply to these observations, there are many forcible reasons which may be alleged for *persevering* precisely in the stand which we have taken. We are sure that will not produce war; for both France and England have avowed that they do not consider it as a cause of war. It would have the appearance of a more steady and determined purpose; and it would not expose to foreign depredation that property, and to impressment and captivity those seamen, which have hitherto been preserved. Legislative deliberation, and mutual communication of ideas and information between those members of the executive and legislature who concur in the pursuit of the same end, will doubtless shed on the whole subject a light by which you will at last most safely proceed. That it may ultimately secure our

peace, independence, and union, I confidently hope and fervently pray.

The proceedings of our legislature relative to the choice of presidential electors will come before you at the proper time. They are unprecedented, and the precedent they exhibit is a very bad one. A suspicious temper would conclude that this mode of proceeding was adopted for the express purpose of producing a new collision between the *State* and the *Union*. This purpose will, I hope, be frustrated. There may be a great constitutional question how far the authority of Congress extends with regard to the rejection of votes returned from the States for the presidential election; and, although I have no doubt that the State legislature on these proceedings have violated our own constitution, yet I should wish, if possible, to avoid stirring the other question upon these returns. The most prudent course, in my mind, will be to receive the votes and count them; leaving it to the people of this Commonwealth, if they think proper, to vindicate their own constitution from the outrages of their own Representatives. Of this, however, you, who will be on the spot, and acting under the responsibility of your public trust, will decide with full consideration.

I have, my dear sir, according to your desire, given you my opinions, in the fullest confidence and sincerity. It will give me pleasure to hear from you as often as your leisure will permit; and, with unabated ardor for the cause of our country, I remain, &c.

P. S. — In using the term *Tories* in this letter, I mean to designate the partisans for a French war, and for submission to Great Britain. They do not include the whole Federal party; but they now *preside* over its policy. They are the political descendants, in a direct line, from the Tories of our Revolutionary War, and hold most of their speculative opinions.

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Boston, Dec. 21, 1808.

MY DEAR SIR, — It would certainly be more safe and prudent for me to imitate that reserve which you notice as mark-

ing the communications of some other friends at the present crisis. Thus much I may say, with perfect security, — the path of the nation is so thickly set with difficulties and dangers, the choice of practicable measures is confined to evils all of such magnitude and terror, that every man, not bound by the duties of a public trust to contribute in devising the expedients to procure public relief, will most naturally shrink from the utterance of an opinion what ought to be done. Like the Irishman on board the ship, when called to aid in extinguishing the fire, one feels an irresistible temptation to answer, "I am only a passenger." Yet, so long as the reflections of my mind, or the observation I have opportunity to make, are acceptable to you, I shall not withhold them; for, in truth, it is a time when the passenger must lend his hand as much as any of the crew; and in giving to you freely my thoughts, crude and undigested as they are, I must add that you can scarcely give less confidence to them than I have in them myself.

I have observed, as far as newspapers and pamphlets have furnished opportunity, the course of deliberation both in your House and in the Senate, since the commencement of the session. Though I will not pretend to deny that I have my partialities of sentiments compelling me to concur with our side, and to differ from the other, I have anxiously sought, from the arguments of both, a *footing* upon which I could think it possible for the nation to stand. Together with much crimination and recrimination, — which perhaps could not well be avoided on either side, but which I regretted to see, because I thought it could answer no good purpose, and must naturally inflame those mutual irritations which should rather be soothed, — I have found on both sides some leading ideas from which public benefit might perhaps be derived. The excessive precipitancy with which our New England Federalists made their charge upon the embargo at the opening of the session, had, I am afraid, a tendency to rouse the spirit of counteraction beyond the tone of cool deliberation, and to prepossess too much the friends of the administration against the measure, under any modification. The report of the

committee of foreign relations, of which I think you were a member, was, in my opinion, a production of uncommon excellence; but it contained a concession upon which the Federalists seized with the convulsive instinct of drowning men, to save themselves from the infamy to which their system of submission was hurrying them. The concession to which I refer is, that a permanent embargo would be an abandonment of the very right for which we are contending. For this primary idea they are indebted to yourselves. But they have turned it against the embargo system with some address and with considerable effect. The idea is substantially true, and affords an unanswerable argument for substituting, as speedily as possible, something instead of the embargo.

The most decisive reason, in my mind, for this substitution is that which I have heretofore suggested to you. The law will not be executed: it will be resisted under the organized sanction of State authority. Already, notwithstanding the decision of the district judge on the constitutionality of the existing laws, the juries will not convict for violations against them.

Constitutional objections will recur with tenfold greater force against the contemplated additional laws; and you will soon find *State judges* undertaking to decide these questions *in their way*. Consider the complication of the case. Two or three file leaders of disappointed ambition, hopeless of consequence under the present national union, and building their castles of personal aggrandizement upon a separation and a British alliance; under these file leaders an organized concert of banks and other *moneyed corporations*, holding great numbers of secondary characters in a state of dependence by the return of discount days, and thus commanding their inaction, if not their assistance; a legislature perfectly under their guidance; a State judiciary of which you must think what I cannot say; a militia so commanded as at least not likely to oppose much obstacle to these views; and a plan, long since formed, to seize the first favorable opportunity to divide the States, and set up a New England confederacy. What an engine in the hands of these people is a system

of restriction which turns all the humors of your political body inward! Gentlemen in Congress have said they are unwilling to *suppose* the case of forcible resistance to the laws, but that, if it should happen, they would use the cautery and the knife. But if you continue and aggravate these laws, you must suppose the case, or you will impose them under an erroneous view of the state of things. When Cæsar was approaching with his army from Gaul, Pompey refused to suppose the case that he would cross the Rubicon, and, for thus refusing to suppose the case, was utterly unprepared to oppose him when he came. It is easy to talk of using the cautery and the knife,—more easy than to use them in reality; but it is the very necessity of using them which I would, at almost any other hazard, avoid.

Let not the administration flatter itself with much support from those whom it considers as its friends. Many of them were friends of the summer,—friends as long as favors were to be obtained, and the popular gale blew with them. I know that some of the most eminent among them are wavering, to say the least. I know that some of them are men who connect with all public considerations much calculation for themselves. The day when these will fail will be precisely the day of trial. Excuse me for saying thus much. It is not for the purpose of exciting distrust, but to state the actual condition of things, upon which all useful public counsel must be founded.

I feel the more anxious that the determination to revive commercial enterprise should now be taken by the government, because it will now be a voluntary act, because all the objects for which the embargo was avowed to be laid have been attained. We have secured all the property which was exposed, and we have made such use of the measure in negotiation as was intended. It cannot again be used in negotiation; and, although it may still preserve property from capture, it can no longer save any from sudden and unexpected rapine. If persisted in now, I see not when the government can consistently abandon it hereafter. As coercion either against France or England, I cannot believe in its



efficacy. It affects their interests, no doubt; but nations which sacrifice men by the hundred thousands, and treasure by the hundred millions, in war, — for nothing, or worse than nothing, — pay little attention to their real interests. It is said to have been the only error in the political character of John De Witt, that he supposed France and England would always act upon measures according to their effect upon their *interests*. There can be no greater error than to proceed upon such calculations. Nine times out of ten you might more safely reverse the rule, and conclude that, if a measure is clearly for the interest of the nation, the government will reject it.

If it be true that the British government have already abandoned the transit duty, they will not venture to carry the remainder of their orders in council into effect. If, after we open our ports, the British should take and carry in our ships, the resentment of the sufferers and of our people will fall much more upon them, and less upon our own government, than they now do; and, if they should proceed in their career of violence, we have yet other measures for indemnifying the losses which our people might sustain, and for checking the execution of their system. One outward effect of our present situation is that, by securing our commercial capital from the operation of the British orders, we take away all their practical mischief, and, of course, much of their odious character. We render the orders themselves a dead letter; but our own restriction takes place of all their prohibitions. Now, if we let our merchants go to sea again, if the British take and confiscate their property, the passions as well as the reason of our people will act against them. If they do not capture, it must be because they will not dare to give their system full effect.

I am aware of the powerful arguments which are urged for adhering precisely to the embargo system; and I am convinced that, if such should be the final result, it will be decided with the best intentions. My best wishes will be with you, and a disposition to make every allowance for the difficulties of the choice, which I know to be just and necessary.

I am, &c., &c.

A part of these letters was published in the New York "American" in the autumn of 1824, not by me, but, with purposes friendly to me, by the person to whom they had been written. It has again recently been published, but, as at first, with omissions of certain passages. You have now before you the whole letters: and, after attentively perusing them, I ask you to compare them, first, with the statements in Mr. Jefferson's letter of 25th December, 1825, to Mr. Giles; and, secondly, with certain passages of John Henry's despatches to the Governor-General at Quebec.

*Mr. Jefferson's Statement from Memory, made Dec. 25, 1825.*

"Mr. Adams called on me pending the embargo, and while endeavors were making to obtain its repeal. He spoke then of the dissatisfaction of the Eastern portion of our confederacy with the restraints of the embargo then existing, and their restlessness under it; that there was nothing which might not be attempted to rid themselves of it; that he had information, of the most unquestionable certainty, that certain citizens of the Eastern States—I think he named Massachusetts particularly—were in negotiation with the agents of the British government, the object of which was an agreement that the New England States should take no further part in the war then going on; that, without formally declaring their separation from the Union of the States, they should withdraw from all aid and obedience to them; that their navigation and commerce should be free from restraint or interruption by the British; that they should be considered and treated by them as neutrals, and as such might conduct themselves towards both parties, and at the close of the war be at liberty to rejoin the confederacy.

"He assured me that there was

*Remarks.*

My only call upon Mr. Jefferson was on the 15th March, 1808, when there was no thought of repealing the embargo. Nothing like what is here stated was ever stated by me to Mr. Jefferson at any time.

But the statement here is conformable to the general tenor of John Henry's despatches. See particularly that of March 7, 1809, where, after remarking that a war with Great Britain would inevitably produce an incurable alienation of the New England from the Southern States, he adds,—

"The truth is, the common people have so long regarded the Constitution of the United States with complacency, that they are now only disposed in this quarter to treat it like a truant mistress, whom they would for a time put away on a separate maintenance, but without further and greater provocation would not absolutely repudiate."

The abandonment of the embargo and substitution of non-intercourse was in March, 1809. My interview

imminent danger that the convention would take place; that the temptations were such as might debauch many from their fidelity to the Union; and that, to enable its friends to make head against it, the repeal of the embargo was absolutely necessary. I expressed a just sense of the merit of the information, and of the importance of the disclosure to the safety and even salvation of our country, and however reluctant I was to abandon the measure, — a measure which, persevered in a little longer, we had subsequent and satisfactory assurance, would have effected its object completely,—from that moment, and influenced by that information, I saw the necessity of abandoning it, and, instead of effecting our purpose by this peaceful weapon, we must fight it out, or break the Union. I then recommended to my friends to yield to the necessity of a repeal of the embargo, and to endeavor to supply its place by the substitute in which they could procure a general concurrence."

with Mr. Jefferson was in March, 1808. It was impossible that I should have said *then* what is here stated; but I wrote, Dec. 21, 1808, this to Mr. Ezekiel Bacon:—

"Consider the complication of the case. Two or three file-leaders of disappointed ambition, hopeless of consequence under the present National Union, and building their castles of personal aggrandizement upon a separation and a British alliance. Under these file-leaders, an organized concert of banks and other moneyed corporations, holding great numbers of secondary characters in a state of dependence by the return of discount days, and thus commanding their inaction, if not their assistance; a legislature perfectly under their guidance; a State judiciary, of which you must think what I cannot say; a militia so commanded as at least not likely to oppose much obstacle to these views; and a plan, long since formed, to seize the first favorable opportunity to divide the States, and set up a New England confederacy. What an engine in the hands of these people is a system of restriction which turns all the humors of your political body inward!"

I have given you the whole of these letters as they were written, although I have not felt myself at liberty to publish the letters of my correspondent to which they were the answers. In the rash demand of names other than their own, and of evidence which I had declared not admissible in a court of law, the confederates must have been aware that I could not, in all probability, comply with their request, without divulging the secrets of confidential correspondence, — a practice too common, indeed, in our country, but against which I take this occasion to bear my solemn testimony. I give the whole of my letters; because, to whatever further resentments they may expose me, the occasion calls upon me to meet them;

because they show the time when, and the manner how, Mr. Jefferson did receive indirectly from me, but without my knowledge or intention, the information upon which he consented to substitute the non-intercourse for the embargo, and which, by the blending of times and things in his memory, he represents me in his letter of the 25th of December, 1825, as having given him at our interview in March, 1808.

I wrote other letters of similar import to several members of Congress, — to none, however, except in answer to letters from them requesting a confidential communication of my views and opinions at that portentous crisis. Among the rest, several to Mr. W. B. Giles, then a Senator of the United States from Virginia. This person, in December, 1825, — immediately after my first message to Congress, expressing from the deepest recesses of my soul the ardent wish for the exercise by the government of the United States of all the powers delegated to them by the people of the Union, for the benefit of themselves and of their posterity, and for the improvement, physical, moral, and intellectual, of their condition, — seized, with a sagacity peculiar to himself, this golden opportunity to recover the confidence and favor of the people of Virginia, which he had long before enjoyed and forfeited, and which he had recently been struggling, with equal fervor though with less success, to regain by slandering my predecessor, Mr. Monroe. “*Ut magnis inimicitiis claresceret*” has been the motto of Mr. Giles’s life, the greater part of which has been occupied in composing and publishing ribaldry and invective upon his superiors. All the presidents of the United States have been successively the objects of his hostility; and he always reserved his detraction against them precisely to the times and occasions when the duties and the decencies of the station which they occupied precluded them from exercising the privilege of self-defence. If, in the tumult of his patriotic ardor to defeat my purposes of public improvement, he had contented himself with betraying my confidence, — a deposit of twenty years’ standing, — it would not have sufficed for his object; but treachery is the natural ally of falsehood. Mr. Giles’s first step in this digni-

fied process was to write a letter to Mr. Jefferson, submitting to him a grave question in political casuistry ; namely, whether he (Mr. Giles) would be justified in betraying my confidence and publishing that which had secretly passed between him and me. Mr. Jefferson naturally referred the question back to the feelings of the propounder, who, reduced thus to his own resources, devised an expedient which would at once absolve him from laws both of confidence and of truth. It was to vamp up a tale of his own invention, without a particle of truth in its composition, and give that out as the real confidence which I had reposed in him. By this patent invention of fraudulent disclosure, he pretended that I had selected him to make known to Mr. Jefferson my conversion to the Republican party ; and that, as an earnest of my apostasy, I had denounced to Mr. Jefferson, at an interview managed by Mr. Giles between us, my old Federal associates as guilty of treason.

In all this, as I am to answer at the throne of Heaven for what I say, there is not one word of truth. I never was converted, never pretended to be converted, from the Federal to the Republican party. I changed no opinion ; I denounced no associate ; I never authorized Mr. Giles to make to Mr. Jefferson any communication from me whatever. He once requested me to call upon Mr. Jefferson, and converse with him, as Mr. Wilson Cary Nicholas had done seven days before. Whether Mr. Jefferson had desired him to make this request or not, I never knew. Mr. Jefferson himself declared that he had not the most distant recollection of any intervention of Mr. Giles between him and me ; nor, other than this, was there any. At a subsequent session of Congress, I wrote confidential letters to Mr. Giles, which he has seen fit totally to forget. He had also forgotten his own letters, soliciting confidential communications of opinions from me. His forgetfulness and his invention have equally served his turn. They have made him governor of Virginia for three years, at the close of which he may retire qualified for a new experiment of his favorite occupation of false and insolent invective against the President of the United States in

office. The attack of Mr. Giles upon me in December, 1825, was made in the "Richmond Enquirer," the sink of political faction in the State of Virginia. The ostensible provocation for it was the earnest call upon Congress, in my first message, to give effective energy to the powers delegated by the people for the improvement of the condition of the country. The ruling majority of the people of Virginia, under their oligarchical constitution, had, by long and continual party collisions, been wrought up into a sort of creed that the liberties of the people of the Union were in danger inexpressible from the exercise of power by the general government; and as there was infinite alarm that power devoted to and resulting in the improvement of the country, would take root in the affections of the people, and become irresistible, the party opposed to the general government seized upon every prejudice and passion and interest which they could rouse into action to cripple the operations of this beneficent power. The patriotism of this portion of the people of Virginia was rallied by the cabalistical watchword of "State rights." The lurking jealousies of slave-holders were enlisted against the native of a State wholly free. The bone-bred dislikes of the cavalier race to the scion from the stock of the Pilgrim Puritans were summoned to the array against him; and the Virginian and Southern and slave-holding mind was thus predisposed to receive falsehood for truth, and sophistry for reason, to ruin the reputation and paralyze the power of a President of the United States elected by one-third of the suffrages of the people, already basely slandered by infamous imputations upon the mode of his election, and placed by his position upon a pinnacle to receive the venom of every malignant and every wanton shaft, without shield or spear, or even a sling for his defence.

But all these advantages for the assault were not sufficient for the purposes of Mr. Giles. He wanted the assistance of Mr. Jefferson and of Mr. John Randolph; and he wanted a pretext more plausible, and less revolting to the common sense and feeling of mankind than my ardent zeal for the improvement of the condition of my country, to

warrant him in his onset. Eighteen years before, being a colleague with him in the Senate of the United States, when the outrages and intrigues of the British government against our common country had brought us to the verge of war, and when, in the violence of faction against Mr. Jefferson's administration, members of the national legislature, to which we both belonged, were shedding each other's blood upon imputations, in the very sanctuary of legislation, of Mr. Jefferson's corrupt subserviency to France, I had apprised Mr. Giles and Mr. Jefferson of a fact within my own knowledge which proved that that same British government, through the Governor of Nova Scotia, was tampering with that same party, arrayed in deadly hostility to Mr. Jefferson, and using among their most formidable weapons that same imputation,—that he and his administration were sold to Napoleon Bonaparte. I pointed them to the source of the slander, and to the secret and perilous link of connection between the British government and the internal faction against Mr. Jefferson.

Nine months afterwards, at a subsequent session of Congress, when I was no longer a member of that body, but a private citizen residing at Boston, Mr. Giles, and other distinguished members of both Houses, wrote me letters inviting a confidential communication of my opinions upon the alternatives of measures presented for consideration at that session. These alternatives were three: 1, War; 2, the continuation and re-enforcement of the embargo; and, 3, the repeal of the embargo, and substitution of a non-intercourse with both the belligerent powers, removable with respect to either upon the revocation by her of her anti-neutral orders and decrees. The party for war was the least numerous; but it was, at the commencement of the session, favored by Mr. Giles. He also, and Mr. Jefferson himself, were strongly inclined to perseverance in the embargo, and the aggravation of it by re-enforcing acts. I believed that this would inevitably produce forcible resistance to the execution of the act in Massachusetts, sanctioned by the State legislature and judiciary; the next step was civil war. A convention of the commercial States against the embargo had first been

called for by Mr. Pickering, in his letter to Governor Sullivan, published by Mr. George Cabot, and, I believed, had been the great object of that letter. A civil war between the State of Massachusetts and the general government looked something like a dissolution of the Union. A convention of the commercial or New England States had an aspect like the formation of a new confederacy; and the prime instigators of these measures were the identical persons whom I knew to have entertained a deliberate project for a severance of the Union and the formation of a Northern confederacy, in the spring of 1804, after the acquisition of Louisiana. These were the reasons assigned by me for urging the substitution of the non-intercourse for the embargo. My letters, without my knowledge or intention, were shown to Mr. Jefferson. It was from them that he received the information which, seventeen years afterwards, under the jackalent light held out to him by Mr. Giles, he thought he had received from me personally at our interview in March, 1808.

In these falsifications and perversions of the transactions between me and Mr. Giles, his purpose was to present me to the public and my country in the odious character of an apostate from my party, and an informer against my friends. The transactions, whether public or secret, relating to the embargo and non-intercourse laws of 1808 and 1809, had no earthly connection with my recommendations to Congress in 1825 in favor of internal improvement. But Mr. Giles supposed that my conduct at the period of the embargo and non-intercourse had been the cause of the subsequent public trusts confided to me by Mr. Madison and Mr. Monroe, and, finally, of my elevation to the office of President of the United States. If, then, he could exhibit that conduct, to the purity and disinterestedness of which he himself had borne signal testimony at and shortly after the time when it occurred; that conduct which had secured to me the grateful acknowledgment of Jefferson, and the profound confidence of Madison and Monroe, manifested by their committing to me the highest and most responsible public trusts, — if he could exhibit that conduct in the light of a base desertion of my party, and a slanderous



accusation of my friends, — he would succeed not only in robbing me of my good name, and in exposing me to the contempt and indignation of my country, but would deprive me of all the credit with the nation, and all the blessings of posterity, which would be due to the founder of a great system of improvement commensurate with the magnitude of this Republic, and coeval with the lapse of ages.

But, for the attainment of this laudable purpose, he needed the assistance of Mr. Jefferson and Mr. John Randolph. He therefore wrote to Mr. Jefferson, presenting to him a false and distorted narrative of my relations with him at the time of the embargo, and pretending that *he* had been selected by me as an agent to make known my conversion and my apostasy to Mr. Jefferson. After exhibiting himself in this attitude of political pandarism, as my accomplice, he asked Mr. Jefferson's opinion as to the propriety of his exposing to the world, as a tale of turpitude, that which, sixteen years before, he had declared in his senatorial seat, before God and the world, to be an act of honorable and disinterested patriotism. And, knowing at the same time Mr. Jefferson's disapprobation of my doctrines of internal improvement, he appealed to his angry feeling for a sanction to this mode of exposing me to the hatred especially of the people of Virginia. The feelings of Mr. Jefferson responded to this appeal; but his moral sense revolted at the infamous falsehoods to which his tempter would have made him accessory. He wrote two letters in answer to that of Mr. Giles; one with permission that it should be made public, and the other strictly confidential. The letter for the public related to the transactions during the embargo. Still rendering ample justice to the integrity of my motives, it yielded, with regard to the facts, a credence to the fictive memory of Mr. Giles which it denied to the acknowledged decays of his own; and admitted, as correct, a statement utterly false, because he distrusted his own memory to deny that of which it bore no trace, simply because it had never been there.

If this letter had been published during the life of Mr. Jefferson, a simple reference to dates would have enabled

him to rectify the errors of fact which it contained. But, though intended for publication, Mr. Giles suppressed it, because its testimonial was creditable to me. The other letter was an effusion of wounded sensibility,—a passionate invective upon the principles of internal improvement, recommended in my message, the more fully indulged because it was strictly confidential.

Of Mr. John Randolph's agency in this honorable conspiracy, I shall say nothing for the present. I leave him and his unproved potations of English porter for a more suitable occasion.

It was, then, in confidential letters to members of Congress, written at their desire, and giving them, at a time of extreme difficulty and danger, my advice with regard to measures under deliberation, that I stated my knowledge, though by evidence not provable in a court of law, that a plan had been formed by certain leaders of the Federal party, several years before, for the dissolution of the Union and the formation of a Northern confederacy. Of this fact I have now given to the public evidence, in the letter of Mr. Plumer of the 20th December last, more conclusive than I had ever asserted that I possessed, more decisive than the confederates had even ventured to ask. This letter I now submit again, fellow-citizens, to your perusal, and recommend to your profound meditation.

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EPPING, N. H., Dec. 20, 1828.

During the long and eventful session of Congress of 1803 and 1804, I was a member of the Senate, and was at the city of Washington every day of that session. In the course of the session, at different times and places, several of the Federalists, Senators and Representatives, from the New England States, informed me that they thought it necessary to establish a separate government in New England; and, if it should be found practicable, to extend it so far south as to include Pennsylvania; but, in all events, to establish one in New England. They complained that the slave-holding States had acquired, by means of their slaves, a greater increase of Rep-

representatives in the House than was just and equal ; that too great a portion of the public revenue was raised in the Northern States, and too much of it was expended in the Southern and Western States ; and that the acquisition of Louisiana and the new States that were formed, and those to be formed in the West and in the ceded territory, would soon annihilate the weight and influence of the Northern States in the government.

Their intention, they said, was to establish their new government under the authority and protection of State governments ; that, having secured the election of a Governor, and a majority of a legislature in a State in favor of a separation, the legislature should repeal the law authorizing the people to elect Representatives to Congress, and the legislature decline electing Senators to Congress, and gradually withdraw the State from the Union, establish custom-house officers to grant registers and clearances to vessels, and eventually establish a Federal government in the Northern and Eastern States ; and that, if New England united in the measure, it would in due time be effected without resorting to arms.

Just before that session of Congress closed, one of the gentlemen,<sup>1</sup> to whom I have alluded, informed me that arrangements had been made to have, the next autumn, in Boston, a select meeting of the leading Federalists in New England, to consider and recommend the measures necessary to form a system of government for the Northern States ; and that Alexander Hamilton of New York had consented to attend that meeting.

Soon after my return from Washington, I adopted the most effectual means in my power to collect the opinions of well-informed leading Federalists in New Hampshire upon the subject. I found some in favor of the measure, but a great majority of them decidedly opposed to the project ; and, from the partial and limited inquiries I made in Massachusetts, the result appeared to me nearly similar to that in New Hampshire.

<sup>1</sup> See Plumer's *Life of Plumer*, p. 299, and above, p. 100.

The gentleman who, in the winter of 1803 and 1804, informed me there was to be a meeting of Federalists in the autumn of 1804, at Boston, at the session of Congress in the winter of 1804 and 1805, observed to me that the death of General Hamilton had prevented that meeting; but the project was not, and could not be, abandoned.

I owe it to you, as well as myself, to state explicitly that, in the session of Congress in the winter of 1803 and 1804, I was myself in favor of forming a separate government in New England; and wrote several confidential letters, to a few of my friends and correspondents, recommending the measure; but afterwards, upon thoroughly investigating and maturely considering the subject, I was fully convinced that my opinion in favor of separation was the most erroneous that I ever formed upon political subjects. The only consolation I had was that my error in opinion had not produced any acts injurious to the integrity of the Union. When the same project was revived in 1808 and 1809, during the embargo and non-intercourse and afterwards during the war of 1812, I used every effort in my power, both privately and publicly, to defeat the attempt then made to establish a separate and independent government in the Northern States.

You are at liberty to make such use of this communication as you shall consider proper.

Accept the assurance of my high respect and esteem.

WILLIAM PLUMER.

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To enable you to judge of the force of this testimony of Mr. Plumer, and also of the profound secrecy with which the project of 1804 was formed and pursued, observe, my countrymen, that Mr. Plumer and myself were both members of the Senate of the United States at the session of Congress of 1803 and 1804; that we then formed an intimate friendship together, which has continued by correspondence to this time; that when, in October last, the article was published in the "National Intelligencer," upon which the confederates

so pertinaciously call for names and evidence, I did not know that Mr. Plumer had been made acquainted with the project of 1804, far less that he had approved and favored it himself. Had I known what he now has disclosed, I should not have said that the evidence upon which I asserted my knowledge of the fact was not provable in a court of law; that of Mr. Plumer certainly is. Mr. Plumer is venerable in years and extensively known; a man of fairer character breathes not the vital air. Much of his time has been devoted to historical researches, and his recollections are aided by minutes and copies of letters written at the time. His testimony is entirely independent of mine.

The information concerning the project communicated to me at Washington, in the spring of 1804, corresponded in the main with that detailed by Mr. Plumer. Of some particulars mentioned by him, I was not informed. I heard of others not noticed by him. The author of the written plan was named to me,—a distinguished citizen of Connecticut. I was told it had originated there; had been communicated to individuals at Boston, at New York, and at Washington. I was not told that General Hamilton approved the plan, but that those by whom it had been formed and was approved looked to him as the military leader in the event that forcible measures should become necessary for effecting its execution.<sup>1</sup>

The session of Congress closed on the 4th of March, 1804, and I shortly afterwards returned to spend the summer at my father's residence at Quincy. On my way thither, I was detained several days at New York, during which I frequently visited Mr. Rufus King, who had then recently returned from his first mission to England. On the 8th day of April, I called and passed great part of the evening with him in his library. I found there, sitting with him, Mr. Timothy Pickering, who, shortly after I went in, took leave and withdrew. As he left

<sup>1</sup> "Much of my information at the time was collected from Mr. Tracy, the Senator from Connecticut, who disapproved the project; but was, I believe, made acquainted with it in all its particulars"—J. Q. Adams to W. Plumer, Doc. 31, 1820, published in *Life of Plumer*, p. 303.

the house, Mr. King said to me, "Colonel Pickering has been talking to me about a project they have for a separation of the States and a Northern confederacy; and he has also been this day talking of it with General Hamilton. Have you heard any thing of it at Washington?" I said I had, much, but not from Colonel Pickering. "Well," said Mr. King, "I disapprove entirely of the project; and so, I am happy to tell you, does General Hamilton." I told Mr. King that I rejoiced to hear that this was his opinion, and was equally gratified to learn it was that of General Hamilton; that I was utterly averse to the project myself, and much concerned at the countenance I had heard it was receiving at Connecticut and at Boston. It was the acquisition of Louisiana which had been the immediate incentive to the plan. I had much conversation with Mr. King on that subject, and found his opinions concerning it concurring with my own; and, I understood from him, not differing from those of General Hamilton. We agreed, and lamented that one inevitable consequence of the annexation of Louisiana to the Union would be to diminish the relative weight and influence of the Northern section; that it would aggravate the evil of the slave representation, and endanger the Union itself, by the expansion of its bulk, and the enfeebling extension of its line of defence against foreign invasion. But the alternative was,—Louisiana and the mouths of the Mississippi in the possession of France, under Napoleon Bonaparte. The loss of sectional influence, we hoped and believed, would be more than compensated by the extension of national power and security. A fearful cause of war with France was removed. From a formidable and ambitious neighbor, she would be turned, by her altered and steadily operating interests, into a natural ally. Should even these anticipations fail, we considered a severance of the Union as a remedy more desperate than any possible disease.

But the acquisition of Louisiana, although the immediate occasion of this project of disunion, was not its only, nor even its most operative, cause. The election of Mr. Jefferson to the presidency was, upon sectional feelings, the triumph of the

South over the North, — of the slave representation over the purely free. On party grounds, it was the victory of professed democracy over Federalism, — of French over British influence. The party overthrown was the whole Federal party, — the disciples of Washington, the framers and supporters of the Constitution of the United States. Their defeat had been caused by their own intestine divisions. Upon the retirement of Washington, Alexander Hamilton, though in private life, aspired to the control of the whole party; but, although bitterly averse to the election of my father as the successor of Washington, he had been deterred by the dread of Jefferson from opposing it. During my father's administration, he had constantly exercised an influence of personal intrigue and management over a large portion of the party; controlled most of the appointments; and, by the witchcraft of the *Maréchale D'Ancre* over Anne of Austria,<sup>1</sup> had acquired an overruling ascendancy over Mr. Pickering, then Secretary of State, over most of the Federalists of New York, and over certain influential citizens of Massachusetts known by the name of the "Essex Junto."

Mr. Hamilton's system of policy looked to a war with France, and a large army, of which *he* was to be the head. In this purpose he had so far succeeded, that, by the interposition of General Washington himself, he had attained the chief command, under him, of the army actually raised in 1799. By the death of Washington, he became the commander-in-chief.

Precisely at that time, Mr. Hamilton had concerted with his confidential advisers the project of bringing out General Washington himself again as a candidate, against the re-election of my father. This fact has been very recently disclosed by the publication of a letter from Gouverneur Morris to General Washington, dated the 8th December, 1799,<sup>2</sup> and

<sup>1</sup> "*Le pouvoir qu'a une habile femme sur une balourde.*" The allusion is properly to Mary of Medici.

<sup>2</sup> See Sparks's *Life of Gouverneur Morris*, vol. iii. p. 123. For Washington's views on this subject, see his two letters to Governor Trumbull, dated July 21, and August 30, 1790, printed in the Appendix to Fisher's *Life of Benj. Silliman*, vol. ii. 381-386.

which, if received by Washington at all, must have been within five days before his death. Disappointed by that event, Mr. Hamilton cast about him for another Federal candidate against my father; and finally fixed upon Mr. Charles Cotesworth Pinckney, of South Carolina, who had ingratiated himself with him by consenting, though he had been his superior officer during the Revolutionary War, to serve as junior officer under him in the army of 1798. Mr. Pinckney had been appointed by President Washington Minister Plenipotentiary to France, upon the recall of Mr. Monroe, and had been treated with indignity by the French directory. He had subsequently been appointed by my father, jointly with General Marshall and Mr. Elbridge Gerry, on a commission to negotiate with the same directory; and this mission had failed, under circumstances dishonorable to the French government and highly exasperating to the American people. It was after his return from this mission that Mr. Pinckney gave the celebrated toast of "Millions for defence, but not a cent for tribute,"—a sentiment which found an echo in the heart of every patriotic American, and especially in that of Mr. Hamilton. In the paroxysm of indignation and resentment against the unworthy treatment of the directory, the project was started of raising an army of fifty thousand men, ten thousand of which were to be cavalry, and of which Hamilton was still to be the commander-in-chief. This sublime project was disconcerted by the institution of a new mission to France, to which my father, with extreme difficulty, obtained the consent of the Senate. War with France, and an army of fifty thousand men with Hamilton at its head, was the political system of Hamilton himself, of Timothy Pickering, then Secretary of State, and of a considerable portion of the Federal party, including the whole Essex Junto. This conflict between a French war and a pacific mission was the immediate cause of that schism in the Federal party which accomplished their political ruin and the fall of my father's administration. The mission itself was successful. It terminated our differences with France; produced the disbandment instead of the augmentation of the army; and prepared



the way for the subsequent acquisition, under Mr. Jefferson's administration, of Louisiana. But this baffled war with France, and this abortion of the army of fifty thousand men, was the cause of the inextinguishable hatred of Hamilton and Pickering, to my father, in which hatred they were cordially joined and seconded by the whole Essex Junto. It was under the influence of this hatred that Hamilton published his slanderous pamphlet against my father,—a pamphlet in which, ostensibly disclaiming the intention of opposing his re-election, he used every artifice of electioneering vituperation to procure a larger, or at least an equal, vote for Mr. Charles C. Pinckney. The main object of the pamphlet was to procure the vote of the South Carolina electors for Pinckney, together with Jefferson. It was hoped that the State sympathies of South Carolina, operating in favor of her own son, would entice the vote of that State thus divided; and, as both the candidates voted for were at that time supported for the office of President, if the other Federal States voted for Adams and Pinckney in equal numbers, and South Carolina for Jefferson and Pinckney, the result would have given Pinckney a majority both over Adams and Jefferson, and thus made him President; while the vote of South Carolina for Jefferson, with those of the other States for Jefferson and Burr, would have given Jefferson a plurality over Adams, and made him Vice-President. And if this project should fail, and South Carolina vote for Adams and Pinckney, giving them thus the majority of electoral votes, and bringing them into the House by an equal vote, there Mr. Hamilton's pamphlet was to operate again upon the ballot-boxes of the House by a witchcraft, the experiment of which was actually made, only with a change of the parties, by a series of thirty-five ballots, before the House could make an election between Thomas Jefferson and Aaron Burr.

In all these movements of Mr. Hamilton, Mr. Pickering was his devoted and humble coadjutor, and the Essex Junto his ardent supporters. My confederate correspondents have thought proper, in their revived animosity against me, to open afresh this old ulcer, and to trace my feelings towards the

party of which they are the self-constituted champions to the dissensions of that time. And if this invidious imputation were true, fellow-citizens, what then? It is not the first time that my filial affection has been made an occasion of taunting reproach to me; but I must say that on this occasion it comes with an ill grace from Henry Cabot, Charles C. Parsons, and, above all, Franklin Dexter.

Of the thirteen signers of the confederate letter, eleven may be considered as, in their own persons or by representation, Hamiltonian Federalists, or Essex Junto men. Most of them, indeed, would probably not, at that day, have taken a charge against *certain leaders* of the Federal party as very pointedly aimed at them. They were not then such signally conspicuous persons as they appear to consider themselves now, — authorized to assume the character of inquisitors-general for the whole Federal party. But they knew then, or some of them might have been told by their fathers, that the Federal party consisted of two great divisions, — both bowing at the name of Washington, but divided in their views of policy from one another as widely as war and peace: an army of fifty thousand men, with Hamilton at its head; and a peace establishment of — thousand, with Hamilton an eminent counsellor at the bar of New York.

The pacific party prevailed. My father was compelled to dismiss Timothy Pickering from the office of Secretary of State; and Hamilton's pamphlet and his intrigues terminated in the election of Thomas Jefferson as President, and Aaron Burr as Vice-President, of the United States.

The whole Federal party was mortified and humiliated at the triumph of Jefferson. They were indignant at his treatment of Washington, and particularly at his letter to Mazzei. They were alarmed for the security of the public faith and the national debt, menaced by the doctrines which his party had maintained in opposing Hamilton's funding system. They were disgusted at his ostentation of deference to Thomas Paine, the reviler of Washington and of the Bible; by his formal invitation to Paine to return to the United States in a national vessel. They dreaded the example of his own reli-

gious infidelity, strongly suspected as it was of atheism. They attributed to the heartless selfishness of a demagogue his overcharged display of democracy, his partialities to France and the French Revolution, his rancor against Great Britain, his jealousies and invidious imputations upon the judiciary. They derided his perpetual courtship of popularity, his rooted aversion to commerce and commercial cities, his fancies that the tobacco-planters of James River were the chosen people of God, his antipathies to a navy and naval power, and his knick-knackereries of literature, the fine arts, and philosophical speculation. The morals of his private life, they believed, were not altogether without spot or blemish; and they deeply resented his political intolerance, his removals from office and proscription of their party, with the unqualified avowal that he looked for other qualities than honesty, capacity, and fidelity to the Constitution, in his selections for appointment. The assentations in his correspondence and conversations to opposite and conflicting opinions had drawn down upon him charges of insincerity and duplicity, which Genet had even countenanced in a diplomatic note. His arbitrary detention of the commissions of judicial officers appointed by his predecessor was pronounced by the Supreme Court to be illegal and unconstitutional; but he paid no regard to that decision. The repeal of the judiciary law enacted just before he came into office, and the persecuting impeachment of judges because they had been Federalists, planted deep in their hearts the stings of political defeat; and the slanders upon the extravagance and corruption of the preceding administration, countenanced in his inaugural address, were contrasted with the appointment to lucrative offices of all the critical votes at his own election in the House, and with the deep defalcations in the treasury, still felt at this day, by the delinquency of one of those rewarded votes.

Such were the feelings of the Federalists of both divisions of the party towards Mr. Jefferson, at and soon after his political triumph over them. Such were in a great degree my own feelings toward him, aggravated by a

deep sense of his injustice and a profound conviction of perfidy in his personal relations with my father. His address to the Senate in taking the Vice-President's chair ill accorded with his letter to Mazzei, written a year before, but not then divulged. Still worse did it accord with his subsequent conduct as a competitor for the presidency against him, and with the purchased slanders of James Thomson Callender. All personal intercourse between my father and him had ceased, when I took my seat in the Senate of the United States; and, although my own admiration of him and affectionate reverence for him had once been almost unbounded, a cold and formal intercourse of official station was the only social relation which I thought it then proper to hold with him. His treatment of me was of the same character.

In detailing these resentments and prejudices and bitter animosities of the whole Federal party against Mr. Jefferson at that time, it is not my design now to aver that they were all well founded; still less to draw from their dread abode the frailties of a great man now deceased, and I trust purified from all the infirmities and corruptions of his earthly nature. Amidst the boiling and angry passions of political conflict, the precept of Christian charity, "Judge not, that ye be not judged," is perhaps too elevated for the region of human nature. The estimate of each other's motives and designs is not always generous, even between friends. It is scarcely ever candid between competitors and opponents. At the time of which I now speak, Mr. Jefferson's supposed indifference to the interests of commerce, his aversion to the navy, his political, official proscriptions, and, above all, his hostility to the judicial power, festered with inexpressible soreness in the side of Federalism.

Mr. Pickering and myself took our seats in the Senate of the United States, in October, 1803. We had both been elected, the preceding February, by the junction of the two divisions of the Federal party in the Massachusetts legislature against Thomson J. Skinner, the Jeffersonian candidate. One Senator was to be chosen for the full term of six years, and the other for two, — the remnant of the term of Dwight

Foster, who had resigned. At these elections, although the whole Federal party united in the result, its divisions were marked by a struggle for the full term of six years, in which it was my fortune to prevail,—a preference which Mr. Pickering never forgave me. Three, at least, of my present confederate appellants voted at those elections; and I appeal to their consciences to say whether I was indebted to the vote of either of them for contributing to that preference. The union of the two divisions of the party was indispensable to maintain its ascendancy in the State; and, on taking my seat in the Senate, it was my most earnest desire to act in harmony and concert with my colleague. But the very first measures which came before us for deliberation were for the execution of the Louisiana purchase conventions, and they parted us widely as the poles. Mr. Pickering voted and spoke against them all; I voted and spoke in their favor. For my conduct on this occasion, I was assailed in the Boston "Centinel" of the 10th December, 1803, by an anonymous writer from Washington. I wrote a private letter to the editor of the "Centinel," requesting the name of the writer of that letter, if he was willing to be known. Major Russell answered me kindly, but declined giving me the name of the writer.

Pause with me here, my countrymen, to remark the utter absence of truth with which Mr. Giles has told you that the embargo of December, 1807, was the signal of my *conversion* from the Federal party to the support of Mr. Jefferson's administration; and that *he* was the father confessor whom I selected to negotiate my reconciliation with, and admission to, the true Republican church. At the time of which I speak, October, 1803, four years before the embargo, Mr. Giles was not even a member of Congress. The measures in execution of the Louisiana treaties were the first upon which I was called as a member of the national legislature to act. They were of the most important that ever occupied the deliberations of Congress. With vote and voice and heart, I supported them, when every other Federalist in the Senate opposed them; and, in supporting them, I supported the

administration of Mr. Jefferson, — supported it upon ground independent and my own, — supported it as far as my duty to the Constitution would admit, and no farther. I believed that the annexation of Louisiana to the Union transcended the constitutional powers of Congress, and that it required also the express assent of the people of Louisiana. They were not a conquered people; and, upon the first principles of the social compact, the tie of national union between them and the people of the United States required the free and voluntary consent of both. In the speech which I made in Senate in favor of the bill appropriating the fifteen millions for the purchase-money, I marked expressly the distinction between the powers which I thought the Federal government did possess of making the treaty, of acquiring the territory, and of paying for it from the funds of the Union, and those which they did not possess, and which the people of the United States themselves could not give them, — of forming that great and solemn association by which two people are constituted into one.

On the 28th October, 1803, I called upon Mr. Madison, then Secretary of State, and inquired of him whether any member of either House of Congress, in the confidence of the Executive, proposed to bring forward a resolution for an amendment of the Constitution to carry into effect the Louisiana treaty. If this was intended, I told him I should wait for the production of this resolution; but, if not, I should think it my duty to move for such an amendment. Mr. Madison answered that he did not know that it was universally agreed that it required an amendment to the Constitution: but that, for his own part, had he been on the floor of Congress, he should have seen no difficulty in acknowledging that the Constitution had not provided for such a case as this; that it must be estimated by the magnitude of the object; and that those who had agreed to it must rely upon the candor of their country for their justification. To all which I assented, but urged the necessity of removing, as speedily as possible, all question upon the subject. Mr. Madison said that he did not know that any arrangement had

been made for proposing an amendment of the Constitution in Congress; that, if there should be, and he should have any agency in concerting the measure, he would request the member who might propose it to consult previously with me.

On the 25th November, 1803, I laid on the table of the Senate a motion for the appointment of a committee to inquire into the necessity of further measures to carry into effect the Louisiana treaty. I had, on the same morning, called again upon Mr. Madison, and submitted to him the measures which, if the committee should be raised, I intended to propose. One was an amendment to the Constitution, of the following import: Congress shall have power to admit into the Union the inhabitants of any territory which has been or may be hereafter ceded to or acquired by the United States. The other was a bill for enabling the inhabitants of Louisiana to declare their assent to their admission into the Union of the United States. Mr. Madison did not think the bill necessary; and he thought my proposed amendment to the Constitution too comprehensive, though I informed him it had reference to the contingency that it might become applicable either to Florida or to Canada. But he thought it might hazard the ratification by the requisite number of the States, of the amendment, and that it would answer all necessary purposes, if it should be expressed thus:—

“Louisiana is hereby admitted into this Union.”

In submitting my motion to the Senate, I stated, very briefly, my reasons for proposing it. They were, that Congress did not possess by the Constitution the power of annexing the inhabitants of Louisiana to the Union; that, upon the first principles of the social compact, they could not possess the power of governing the people of Louisiana without their consent; that the object of my proposed measures was to legalize that which both peoples earnestly desired, and for which nothing but the manifestation of that desire was wanting; that the legislatures of all the States of the Union were, or would be, in session before the proposed amendment could reach them; that a week would be ample time to carry it

through Congress ; that it would remove the only objection, formidable as it was, against the Louisiana cession ; that I believed the proposed amendment would be ratified by the legislatures of every State in the Union ; that there could be no possible doubt it would be ratified by a number sufficient to make it part of the Constitution ; that the assent of the people of Louisiana was equally certain ; and that the whole transaction might be accomplished in time to enable Congress to pass subsequent laws, during that same session, for the government of the Territory of Louisiana.

But it had been determined that Congress should assume the power of governing the people of Louisiana, without asking their consent ; and of admitting them to the Union, without amendment of the Constitution. No answer was given to the reasons which I assigned for my propositions. No party sustained them. The Senate almost unanimously refused me even the benefit of a committee of inquiry ; and, three days afterwards, a motion was made for the appointment of a committee to make a form or forms of government for Louisiana ; which, after all the opposition I could give to it, was adopted on the 5th December, when a committee of five members, of whom I was one, was appointed.

The result of the labors of this committee was the act for establishing a government in the Territory of Louisiana, which conferred upon the President of the United States all the powers which had been exercised by the King of Spain in Louisiana while in its colonial state. I opposed the reporting this bill by the committee, without success. It was followed by a bill for raising revenue within the Territory. I opposed the progress and passage of both the bills in the Senate ; and, before they finally passed, I offered to the Senate, on the 10th January, 1804, the following resolutions : —

“ Resolved, that the people of the United States have never in any manner delegated to this Senate the power of giving its legislative concurrence to any act for imposing taxes upon the inhabitants of Louisiana without their consent.

“ Resolved, that, by concurring in any act of legislation for imposing taxes upon the inhabitants of Louisiana without



their consent, this Senate would assume a power unwarranted by the Constitution, and dangerous to the liberties of the people of the United States.

"Resolved, that, the power of originating bills for raising revenue being exclusively vested in the House of Representatives, these resolutions be carried to them by the Secretary of the Senate, that, whenever they think proper, they may adopt such measures as to their wisdom may appear necessary and expedient for raising and collecting a revenue from Louisiana."

These resolutions were received with temper, rather than opposed by reasoning. Upon taking the yeas and nays on the first and second, only three votes besides my own supported them. After they had been rejected, I was not allowed to withdraw the third, which I requested to do; as, being a deduction from them, it became absurd to vote for it when they were negatived. Mr. Pickering absented himself during the debate; and then asked to be excused from voting, because he had not heard the discussion. He voted for the Louisiana government and revenue bills; and my opposition to them, as well as my resolutions, was put down by a triumphant, overwhelming vote. Yet, even then, without the walls of the Capitol, numbers of individuals told me that they had seen my principles voted down, but not refuted. Even then, Abraham Baldwin, Senator from Georgia, came to me in my seat and said, "Your heart is right before God; your principles and the application of them are unquestionable."

Twenty years after all these events, the old journals of the Senate were ransacked to pick out every vote of mine that could be blackened by malevolence; and I was denounced before my country for these votes against the Louisiana government and revenue bills, as proof that I had opposed the purchase of Louisiana, — denounced for denying the powers of Congress to confer upon the President the despotic authority of a king of Spain, — denounced by men who, in the same breath, reviled me as an extravagant latitudinarian of constructive powers, because I believed that Congress might, without absolute annihilation to the liberties of the country,

**build an observatory, dig a canal, open a road, and institute an university for the education of youth to the pursuits of science and the practice of virtue.**

Such was my support of the administration of Mr. Jefferson in the acquisition of Louisiana, and such my opposition to it with regard to his first measures for the government of the Territory. The conduct of my colleague, the representative of the Essex Junto Federalism, was in every thing the reverse: he voted against the ratification of the treaties; he voted against the appropriation bills for carrying them into effect, and for taking possession of the country; he excused himself from voting upon my resolutions, denying the right of Congress to govern and tax the people of Louisiana without their consent; he voted for the bills to govern and tax them; and he entered into a project for severing the Union and establishing a Northern confederacy.

Among the incentives to this desperate measure, on the part of some of the New England Federalists, subsidiary to their dissatisfaction at the Louisiana purchase, I have mentioned the hostility of Mr. Jefferson to the judiciary. This had been manifested in various ways, — all offensive to their most cherished principles. At the close of the preceding administration, a new and (as the Federalists thought) a highly improved organization of the judicial courts of the United States had been established. Upon this establishment, sixteen judges of circuits had been appointed from among the most eminent lawyers of the Union. One of the earliest acts of Mr. Jefferson's administration was the repeal of this act, — effected, as the Federalists universally believed, only for the prostration of the Constitution in what they deemed one of its most sacred principles, — the independence of the judiciary. At the same session of Congress which sanctioned the Louisiana purchase, a system of impeachment disclosed itself against the remaining judges of the courts of the United States, which was believed by the Federalists to be not only countenanced but stimulated by Mr. Jefferson. It was not then discountenanced by him. It commenced its operations by the impeachment of John Pickering, judge of

the district court of the United States in New Hampshire, who, from habits of intemperance, had fallen into insanity. Under the repealed Judiciary Act, provision had been made for cases when district judges should be disabled from the performance of their duties, by authorizing them to be performed by the judge of the adjoining district. The duties of Judge Pickering, disabled by insanity, had thus been performed by the district judge of Massachusetts. By the repeal of the act, the duties of district judge of New Hampshire had again devolved on Judge Pickering; and upon several occasions his conduct upon the bench had been indicative of the state of his mind. He was at this session of Congress impeached, sentenced, and removed from office, for high crimes and misdemeanors, consisting only of these mental aberrations. It was my misfortune to sit as one of his judges, and I thought it one of the most cruel of prosecutions. Upon the trial, I pleaded with intense anxiety the cause of humanity; and represented, in the warmest coloring I could give it, the extreme severity of convicting, of high crimes and misdemeanors, a person of integrity and intelligence laboring under the heaviest calamity that almighty Power could inflict upon man. But Judge Pickering was a Federalist, and was not in a condition to discharge the duties of a district judge. He was convicted and removed. Upon this trial, the opinions of my colleague, and of all the Federalists in the Senate, entirely concurred with mine; and I had taken such a leading part in opposition to the proceedings, that Colonel Pickering, in behalf of them all, proposed to me to draw up a paper, to be signed by them all, protesting against the proceedings, and seceding from the final question of "Guilty or not guilty?" which I declined, as being itself an irregular and disorderly measure.

The impeachment of Judge Pickering was merely an entering wedge. On the same day that the Senate passed sentence upon him, the House of Representatives, at the instigation of John Randolph, passed a vote of impeachment of high crimes and misdemeanors against Samuel Chase, a judge of the Supreme Court of the United States, and one of

the signers of the Declaration of Independence. This was generally believed to be a party measure, countenanced by Mr. Jefferson; and the most ardent of his partisans, in their conversations, scrupled not to avow their readiness to follow up the impeachment of Chase by that of all the other judges of the Supreme Court of the United States but one; while, at the same time, the judges of the Supreme Court of Pennsylvania were made to pass through the same ordeal.

This persecution of the judiciary power was believed by the Federalists to form a part of Mr. Jefferson's political system. It was believed to be further stimulated by personal aversion to the Chief Justice, and by resentment for the decision of the Supreme Court in the case of Marbury and Madison. In the political creed of the Federalists, the independence of the judiciary was the sheet-anchor of Republican freedom. They thought they perceived in Mr. Jefferson's opinions and conduct a deliberate and systematic attempt to break it down; and they were seriously alarmed for the only barrier upon which they could rely for protection against proscriptions more terrible than mere removals from office.

These apprehensions were perhaps exaggerated; but there was too much foundation for them. Mr. Jefferson's radical animosities and prejudices against the judiciary power have had an unwholesome influence upon the public opinions of the American people. They followed him to the last period of his life, and were signally marked by a letter from him to Major Cartwright, published in England shortly before his decease, — a letter which the friends of Mr. Jefferson's memory, of Christianity, and of justice to the venerable names of judges the pride and glory of the British tribunals, have seen with equal pain and mortification.

I have enlarged upon this narrative, because the alarm and disgust of the New England Federalists at Mr. Jefferson's anti-judiciary doctrines and measures were then prevailing at their highest pitch, and were one of the efficient causes which led to the project of separation and a Northern confederacy.

It has been mentioned that, upon my return home after the session of Congress of 1803-4, on the 8th April, at New

York, Mr. Rufus King informed me that Mr. Timothy Pickering had been that day with him, and also with General Hamilton, urging them to take part in that plan; which, however, they both disapproved. Three months after that event, on the 11th July, General Hamilton fell by the hand of Colonel Burr. Before going forth to meet him, he wrote a paper, which was published by his executors after his decease, and which I here transcribe, with a few remarks evincive of its reference to that plan, and to the efforts made to engage him in it:—

“On my expected interview with Colonel Burr, I think it proper to make some remarks explanatory of my conduct, motives, and views.

“I was certainly desirous of avoiding this interview, for the most cogent reasons:—

“1. My religious and moral principles are strongly opposed to the practice of duelling; and it would ever give me pain to be obliged to shed the blood of a fellow-creature, in a private combat forbidden by the laws.

“2. My wife and children are extremely dear to me; and my life is of the utmost importance to them, in various views.

“3. I feel a sense of obligation towards my creditors, who, in case of accident to me, by the forced sale of my property, may be in some degree sufferers. I do not think myself at liberty, as a man of probity, lightly to expose them to this hazard.

“4. I am conscious of no ill-will to Colonel Burr, distinct from political opposition, which, as I trust, has proceeded from pure and upright motives.

“Lastly, I shall hazard much, and can possibly gain nothing, by the issue of the interview.

“But it was, as I conceive, impossible for me to avoid it. There were intrinsic difficulties in the thing, and artificial embarrassments, from the manner of proceeding of Colonel Burr.

“Intrinsic, because it is not to be denied that my animad-

versions on the political principles, character, and views of Colonel Burr have been extremely severe; and on different occasions I, in common with many others, have made very unfavorable criticisms on particular instances of the private conduct of this gentleman.

“In proportion as these impressions were entertained with sincerity, and uttered with motives and for purposes which might appear to me commendable, would be the difficulty, until they could be removed by evidence of their being erroneous, of explanation or apology. The disavowal required of me by Colonel Burr, in a general and indefinite form, was out of my power, if it had really been proper for me to submit to be so questioned; but I was sincerely of opinion that this could not be, and in this opinion I was confirmed by that of a very moderate and judicious friend whom I consulted. Besides that, Colonel Burr appeared to me to assume, in the first instance, a tone unnecessarily peremptory and menacing; and, in the second, positively offensive. Yet I wished, as far as might be practicable, to leave a door open to accommodation. This, I think, will be inferred from the written communications made by me, and by my direction; and would be confirmed by the conversations between Mr. Van Ness and myself which arose out of the subject.

“I am not sure whether, under all the circumstances, I did not go further in the attempt to accommodate than a punctilious delicacy will justify. If so, I hope the motives I have stated will excuse me.

“It is not my design by what I have said to affix any odium on the conduct of Colonel Burr in this case. He, doubtless, has heard of animadversions of mine which bore very hard upon him; and it is probable that, as usual, they were accompanied with some falsehoods. He may have supposed himself under a necessity of acting as he has done. I hope the grounds of his proceeding have been such as ought to satisfy his own conscience.

“I trust, at the same time, that the world will do me the justice to believe that I have not censured him on light grounds, nor from unworthy inducements. I certainly have

had strong reasons for what I may have said, though it is possible that in some particulars I may have been influenced by misconstruction or misinformation. It is also my ardent wish that I may have been more mistaken than I think I have been; and that he, by his future conduct, may show himself worthy of all confidence and esteem, and prove an ornament and blessing to the country.

"As well because it is possible that I may have injured Colonel Burr, however convinced myself that my opinions and declarations have been well founded, as from my general principles and temper in relation to similar affairs, I have resolved, if our interview is conducted in the usual manner, and it pleases God to give me the opportunity, to reserve and throw away my first fire; and I have thought even of reserving my second fire, and thus giving a double opportunity to Colonel Burr to pause and to reflect.

"It is not, however, my intention to enter into any explanations on the ground. Apology, from principle I hope, rather than pride, is out of the question.

"To those who, with me, abhorring the practice of duelling, may think that I ought on no account to have added to the number of bad examples, I answer that my relative situation, as well in public as private, enforcing all the considerations which constitute what men of the world denominate 'honor,' imposed on me, as I thought, a peculiar necessity not to decline the call. The ability to be in future useful, whether in resisting mischief or effecting good, in those crises of our public affairs which seem likely to happen, would probably be inseparable from a conformity with public prejudice in this particular.

"A. H."

To estimate the power of the motives operating upon the mind which produced this paper, consider for a moment the occasion for which it was prepared, the act which it was to extenuate, the purpose which it was destined to accomplish.

It was prepared at the close of a correspondence perhaps as remarkable as any that ever preceded a personal encounter of

life and death,—a correspondence in which, from the first line to the last of his adversary's letters, a fixed, irrevocable, unrelenting purpose of bringing him to the field is the unequivocal characteristic; while, on his part, an anxious desire to avoid the combat is constantly struggling with a foreboding that it will not, and a consciousness that it cannot, be avoided. A dark presentiment that the result of the meeting will be fatal to himself is discernible scarcely less in the correspondence than in this final paper. It was too well warranted by the temper displayed in Mr. Burr's letters. In the hand that wrote *them* there was no tremulation; in the heart that dictated them, no wavering; in the soul that conceived them, no compunctious visitings. No design to reserve his fire was there. The nerve, the hand, the eye, were all tutored, drilled, and bent in deadly harmony to perform their part. An irresolute, argumentative, cowering, and yet unconquered, spirit meets but upon the most unequal terms for a duel the fierce and inflexible temper which returns explanation with a sarcasm, and precludes apology by an insult. This character of Burr's letters had not escaped Mr. Hamilton's discernment. He states it as a reason why he cannot without humiliation decline the meeting. Nor is it possible to suppose that another inference from such a temper in his antagonist was unseen,—that his ball would be sped with unerring aim. He must have felt that he was going forth to almost certain death.

And how went he forth, with this stake in his hand, to unlawful private war? Against the cry of his conscience; against the voice of nature pleading for his life to support and educate a dependent family; against the warning of justice in behalf of his creditors,—all these motives are set forth, in lucid exposition, and with irresistible cogency, in this extraordinary paper. Conscience, nature, justice,—are there more powerful impulses than these to operate upon the human heart? Yes!—Ambition, the marshal's truncheon, the "All hail hereafter!"

At the time when these events occurred, Mr. Hamilton was in private life,—a practitioner at the bar of New York.



The state of the country was of profound peace, and of splendid prosperity. Mr. Jefferson's administration was in the full tide of its triumph; and at the presidential election, which a very few months afterwards succeeded, he received one hundred and sixty-two out of one hundred and seventy-six electoral votes. The Federal party, to which Mr. Hamilton belonged, had dwindled down in every State in the Union, save Connecticut, to a minority; and, of that minority, only a minority were admirers and partisans of Mr. Hamilton. Of them, indeed, he was the oracle and the idol; but in New York itself, so broken down was the whole Federal party, that, at the governor's election, they had been reduced to cast their votes between two of their bitter opponents; and the immediate cause of the duel itself was a printed report of a speech of Hamilton's at a Federal meeting, in which he had urged the expediency of their uniting in favor of Morgan Lewis against Aaron Burr. It was thus, by his influence, that Burr had lost his election.<sup>1</sup>

<sup>1</sup> Compare in this connection the paper published in *Hamilton's Works*, vol. vii. p. 851, entitled "Lansing or Burr." The following extract from this paper, which was written on or before February 10th, but was unknown to Mr. Adams, appears to supply an essential link in the chain of ideas which influenced Mr. Hamilton, and also Colonel Burr:—

"4. A further effect of his [Burr's] elevation by the aid of the Federalists will be to present to the confidence of New England a man already the man of the Democratic leaders of that country, and towards whom the mass of the people have no weak predilection, as their countryman, as the grandson of President Edwards, and the son of President Burr. In vain will certain men resist this predilection, when it can be said that he was chosen Governor of this State, in which he was best known, principally, or in a great degree, by the aid of the Federalists.

"5. This will give him fair play to disorganize New England, if so disposed; a thing not very difficult when the strength of the Democratic party in each of the New England States is considered, and the natural tendency of our civil institutions is duly weighed.

"6. The ill opinion of Jefferson, and jealousy of the ambition of Virginia, is no inconsiderable prop of good opinions in that country. But these causes are leading to an opinion that a dismemberment of the Union is expedient. It would probably suit Mr. Burr's views to promote this result, to be the chief of the Northern portion; and, placed at the head of the State of New York, no man would be more likely to succeed."

See J. C. Hamilton's "History of the Republic," vii. 770. For Hamilton's opinion of the disunion scheme, see his letter to Sedgwick of July 10, 1804, printed in the Appendix, p. 305.

Such was the state of the country, of parties, and of Mr. Hamilton himself, when he received the summons of Mr. Burr. The country was in peace, prosperity, and general tranquillity, partaken by all but a fragment of a defeated party which had taken its last refuge in Connecticut and Massachusetts. There, however, it embraced men of considerable talents, of powerful though faded influence, capable of deep and desperate designs. There was the Essex Junto; there were the headquarters of sound principles,—the statesmen who, five years before, had united with Hamilton to overthrow the administration of John Adams, because he had preferred peace with France to an army of fifty thousand men with Alexander Hamilton at its head.

From the same quarter, and among the same men, had originated the project for a separation of the Union and the formation of a Northern confederacy, immediately after the acquisition of Louisiana, and in the midst of Mr. Jefferson's persecution of the judiciary. The project still came from headquarters; it still bore in its bosom an army and a military commander; only three months before, it had been made known to him; he had been urged to take a part in it; the design of placing him at its head had not been concealed from him; and, although then disapproving entirely of the plan, he had consented to attend, the next autumn, at Boston, a select meeting, where the whole subject was to be canvassed. To this meeting, Mr. Plumer was informed that he would receive an invitation, when the time for it should be fixed.

And now, what is there of mystical or unintelligible in the closing paragraph of Mr. Hamilton's posthumous paper? "The ability to be in future useful, whether in resisting mischief or effecting good, in those crises of our public affairs which seem likely to happen, would probably be inseparable from a conformity with public prejudice in this particular;" that is, from his meeting Colonel Burr. "Useful in resisting mischief or effecting good," "those crises in our public affairs," are expressions which would not naturally be used with reference to any contemplated contingency of foreign war. Their

obvious bearing is upon the anticipation of intestine dissensions kindling into war. Those crises he thinks *likely* to happen in our public affairs. Should he decline to meet Colonel Burr, some doubt at least of his personal intrepidity would be entertained by the men of military mind. He could no longer expect to be the favorite candidate for the chief military command. The soldier, jealous of honor, sudden and quick in quarrel, would spurn obedience to the craven champion of a private feud. He must meet his foe, or surrender for ever the prospect of commanding armies. The ability to be useful is the legitimate object of power. It is also the title to eminence. Analyze the sentiment as you will, it resolves itself into AMBITION.

Mr. Hamilton had disapproved—I fully believe sincerely disapproved—the disunion project, to share in which he had been invited. In consenting to attend the autumnal meeting at Boston, his purpose was to dissuade the parties concerned from the undertaking, and to prevail upon them to abandon it. But it was a design of his most devoted friends and adherents; that design, he knew, was deliberately formed; and, although to his mind the acquisition of Louisiana was an occasion utterly unsuitable to the promise of success to such an undertaking, he could not doubt that others would, in the course of events, arise, which would bring the same interests and the same feelings into action under more felicitous auspices. The volume of smoke issuing from the volcano was an emission from the fire that raged within. It might now pass off without further eruption; but it gave fearful foreboding of the day when the lava would pour its burning floods down the sides of the mountain, and carry death and devastation along with it. Then would be the crisis in our public affairs for resisting mischief and effecting good, at the head of an army. An army on one side implies an army on the other. I would hope, and may not disbelieve, that Mr. Hamilton's attachment to the Union was of that stubborn, inflexible character which, under no circumstances, would have found him arrayed in arms against it. But, in the events of Mr. Hamilton's life, a comparison of his conduct with his opinions,

in more than one instance, exhibits him in that class of human characters whose sense of rectitude itself is swayed by the impulses of the heart, and the purity of whose virtue is tempered by the baser metal of the ruling passion. This conflict between the influence of the sensitive and the reasoning faculty was perhaps never more strikingly exemplified than in the catastrophe which terminated his life, and in the picture of his soul unveiled by this posthumous paper.

However this may be, his death disconcerted for a time the project of a Northern confederacy. It prevented, as Mr. Plumer was informed, the proposed autumnal meeting at Boston. Mr. Plumer himself, in the course of that summer, by his inquiries and his correspondence, had become convinced not only of the inexpediency of the project, but that it met no favor with a great majority of the Federal men of influence, either in New Hampshire or in Massachusetts. He abandoned it for ever, and became from that time one of its ablest and most efficient adversaries. But, at the succeeding session of Congress, he was informed that, notwithstanding the decease of General Hamilton and the consequent failure of the meeting at Boston in the autumn of 1804, the project was not and would not be abandoned.

At that same succeeding session of Congress, the aspect of our public affairs had very materially changed. The persecution of the judiciary was signally defeated. The trial of Judge Chase was the principal business of the session. The impeachment totally failed. It had lost the countenance of Mr. Jefferson. It crippled for ever the ruling ascendancy of Mr. John Randolph in the House of Representatives of the United States, and was the primary cause of the rupture which soon ensued between that distinguished personage and Mr. Jefferson's administration. To them Mr. Randolph attributed his defeat; and nine of Mr. Jefferson's warmest partisans in the Senate voted against all the articles of impeachment.

This schism in the party of Mr. Jefferson's administration relieved the judiciary from all further persecution, and the Federalists from those apprehensions which had contributed

to stimulate the disunion project. The acquisition of Louisiana had been completed. The government of the Territory had been assumed and carried into effect. The times were eminently unpropitious to the project of a Northern confederacy; and, after the close of the session, Mr. Jefferson was inaugurated for the second term of his presidential service, to which he had been re-elected by an almost unanimous vote.

In the summer of 1805, the British government, jealous of the commercial prosperity which the United States were enjoying by their neutrality, commenced a sudden and violent assault upon all neutral rights, by an unexpected general sweep of American vessels from the ocean, and by the revival in their admiralty courts of an old exploded rule of the war of 1756,—that no trade of a neutral nation with a belligerent power, in time of war, is lawful, except a trade which had been lawful between the same parties in time of peace. An immense mass of property belonging to the merchants of the United States was seized and carried into the British ports. The current of popular opinion ran with irresistible force against Great Britain; and the principal leaders of the Federal party were among the heaviest sufferers by her depredations. Memorials from the merchants of all the commercial cities of the Union were addressed to Congress, calling for the interposition of Congress in their behalf; and pledges of support were given for any measures which might be deemed necessary, even to the extremity of war. This interest, at the session of Congress of 1805–6, absorbed all others. Had Mr. Jefferson and his administration at that time shaken off their inveterate and deep-rooted prejudices against a naval power; had they then commenced that system of gradual increase of the navy now happily established, and for which the circumstances of the country were then not less favorable than when the system was actually commenced,—the subsequent war with Great Britain would probably never have happened; or, if it had, with a preparation of six years at the declaration of war in 1812, and a hearty co-operation of the people of the Eastern States in its prosecution, deeds of glory would have signalized the war by sea and land, of which the exploits actually per-

formed, when the war, with all its destitutions either of force or of preparation, came upon the nation, are but the indexes. In that event, also, the projectors of a Northern confederacy would probably never have reappeared upon the scene.

But Mr. Jefferson's prejudices against a navy were unconquerable. His attachments to commercial interests were not very fervid. He denounced the new-vamped rules of the British admiralty courts as "interpolations in the law of nations;" and Mr. Madison, in a large and very able pamphlet, which was laid on the tables of the members of both Houses of Congress at the commencement of the session, examined and refuted the British doctrines on the subject of neutral rights. Three resolutions of the Senate, reported by a committee of which I was a member, and drawn up by me, —declaring the rule of the war of 1756 to be contrary to the law of nations; that it ought to be resisted by the United States; and that the President should be requested to institute a negotiation extraordinary with Great Britain on the subject, — were adopted by an unanimous vote. The negotiation was instituted by Mr. Jefferson; but his resistance was confined to gun-boats, dry-docks, and commercial restrictions. On this controversy with Great Britain, Mr. Jefferson's administration received my support to the utmost of my ability. I voted even for his restrictive measures, particularly for that called the "Non-importation Act," approved the 18th of April, 1806, which was vehemently opposed by all the other Federal members of both Houses of Congress. This is another proof of the falsehood of Mr. Giles's tale of my *conversion* at the time of the embargo. I voted for the Non-importation Act, as I did for the embargo, not because I had confidence in the success of those measures as coercive upon Great Britain, but because they were the only measures which Mr. Jefferson and his administration would sanction, because a large majority of the people of the United States did then believe in their efficacy, because it was possible they might succeed, and because there was no other mode of resistance to the wrongs of Great Britain practicable. I thought that the

result of the experiment would be to prove that which, without the experiment, the people never would believe ; and that the resort to the real remedy could be effected only by allowing the trial to be made of that which Mr. Jefferson himself, his administration, and his party, believed to be the specific, but in which I had little faith. The Non-importation Act, however, far from being satisfactory to the Federalists, gave them almost universal dissatisfaction. It was enacted to commence only from the subsequent 15th of November, and certainly did operate favorably upon the negotiation of the treaty concluded by Messrs. Monroe and Pinkney, the December following, which Mr. Jefferson declined submitting to the Senate. It never was enforced, having been suspended at the recommendation of Mr. Jefferson at the commencement of the ensuing session of Congress, continued and suspended until the embargo, which superseded it, and with which it was repealed on the 1st of March, 1809.

As its prohibitions never took effect, it did not produce the extreme discontents and actual resistance which followed the embargo ; but at the time of its enactment it was scarcely less obnoxious to the Federal party. On my return to Massachusetts, in the spring of 1806, I was questioned by one of my friends of that party with regard to my vote upon this bill, and assigned to him the reasons for it which I have given here. He appeared to be entirely satisfied with them ; but you may remember, fellow-citizens, how, eighteen years afterwards, the name of that friend was abused to pass off a slanderous perversion of my conversation with him. You were then told — and the tale, though explicitly denied by himself, has been repeated times without number — that I had told him I had joined the Democratic party, and supported their worst measures to make them odious, and thereby bring in the Federalists again. There are thousands — ay, tens of thousands — of you who now believe this tale of slander to be true. I owe an acknowledgment to my confederate correspondents for not having reminded me of it, as they have of my pretended vote for the embargo without deliberation. It would, indeed, have been less ungenerous in them ; forasmuch

as this falsehood had, when they made their appeal, never been, as that had, contradicted explicitly by myself.<sup>1</sup>

<sup>1</sup> This passage refers to the well-known charge against Mr. Adams made by Mr. Pickering, in his letter of April 22, 1808, to Governor Sullivan. This charge was that Mr. Adams used the following language in regard to the passage of the embargo act, when before the Senate, on the 18th December, 1807: "The President has recommended the measure on his high responsibility. I would not consider; I would not deliberate: I would act. Doubtless, the President possesses such further information as will justify the measure." Mr. Pickering produced this report of Mr. Adams's words as a dangerous example of legislative subservience to executive authority. The explicit contradiction here alluded to by Mr. Adams is contained in the appendix to a reprint of his letter of March 31, 1808, to Mr. H. G. Otis, written in July, 1824, and printed in Baltimore the same year. Here he says: "In assigning to the Senate, very briefly, my reasons for assenting to the bill, and for the belief that it ought to pass without delay, I admitted that the two documents transmitted with the message would not have been of themselves, to my mind, sufficient to warrant the measure recommended in it; but, referring to the existing state of things of public notoriety, and denominated in the message 'the present crisis,' I observed that the Executive, having recommended the measure upon his responsibility, had doubtless other reasons for it which I was persuaded were satisfactory; that, with this view, convinced of the expediency of the bill, I was also impressed with the necessity of its immediate adoption; that it was a time, not for deliberation, but for action; and that I wished the bill, instead of lingering through the dilatory process of ordinary legislation, might pass through all the stages of its enactment in a single day. . . . My allusion to the recommendation of the Executive upon his responsibility, and to my confidence in it, was purposely made in general terms; but it had reference to the reasons which had been assigned to me in committee by the chairman. I deemed it less necessary to specify them, because . . . the opposition to the bill upon its merits was exceedingly feeble, scarcely calling for an answer. . . . Mr. Pickering . . . charged me with having in the debate . . . expressed a sentiment which resolved the whole business of legislation into the will of the Executive. To support the charge, he quoted several words which he said I had used in the debate, and which, detached from this context and from the explanation I have now given, might deserve all the severity of his commentary. . . . It was impossible to have framed a charge more destitute of foundation, more easily refuted, or more open to the chastisement of severe retaliation; yet I took no public notice of it; nor shall I now go further — beyond the simple declaration that I never expressed or felt the sentiment imputed to me by Mr. Pickering — than to observe that, if I had uttered it, and had been understood in the sense which he has given to my words, it was his duty, and the duty of every Senator present who so understood me, not only to have had my words taken down at the time, but instantly to have called me to order for using them. The words, as Mr. Pickering professes to have understood them, were, undoubtedly, in the highest degree disorderly; and a decisive proof that they were not generally so understood is found in the circumstance that no exception was taken to them



During the whole term of my service in the Senate of the United States, in all their controversies with foreign nations, I considered the cause of the administration to be identified with the cause of my country. I did not approve, nor even support, all the measures of the administration resulting from these foreign relations. At this very session of Congress, for example, of 1805-6, I opposed warmly and earnestly the act for suspending commercial intercourse with the Island of St. Domingo. It was imperiously demanded by France, and I thought it an unsuitable concession. I voted against a secret bill appropriating two millions of dollars for a purpose then secret, but which really was for the purchase of Florida from Spain. This was a favorite measure of Mr. Jefferson; but, as the conduct of Spain towards us at that time was very injurious and offensive, and Mr. Jefferson's public messages concerning it almost called for war, there was an appearance of duplicity in this secret appropriation of money at the same time, which it was well understood would, in the event of the success of the negotiation, go not to Spain, but to France.

It was at this session of Congress, and upon this system of measures with regard to Great Britain, France, and Spain, that the final secession of Mr. John Randolph from the support of Mr. Jefferson's administration occurred. A very small number of his personal friends seceded with him. They had been desirous that he should have been appointed on the proposed extraordinary mission to Great Britain. From his speeches at this time, it appeared that the system which he would have adopted was directly the reverse of that pursued by Mr. Jefferson. He would have conciliated Great Britain by setting France and Spain at defiance.

at the time. . . . The error of Mr. Pickering's charge consists in his connecting my expression of confidence in the recommendation of the Executive, which I assigned as one of my reasons for agreeing to the act, with my argument for the necessity of despatch, which was founded in the nature of the act itself and the portentous crisis of the times."

To this explanation Mr. Pickering replied in the newspapers, reaffirming the exactness of his statement, and, at the same time, taking the ground that, even as explained, the words were not less objectionable than before. Compare Lodge's Cabot, p. 396 and p. 425; also, *Memoirs of J. Q. Adams*, vol. 1. 491.

Mr. William Pinkney, and Mr. Monroe, the Minister of the United States at London, were appointed envoys extraordinary upon a special mission for adjusting the differences, and concluding a commercial treaty, between the two countries. By the death of Mr. Pitt, a new ministry had been formed, at the head of which was Mr. Fox. The views of this party were more liberal towards the United States, and more favorable to the rights of neutrals, than those of their predecessors. The rule of the war of 1756 was superseded. Many of the vessels and cargoes captured for adjudication while it had been in force were released. A further prospect of liberation and of indemnification was held up. A negotiation for a commercial treaty was commenced by Messrs. Monroe and Pinkney with Lords Auckland and Holland. At the opening of the next session of Congress, in December, 1806, this negotiation was still pending. A temporary suspension of the Non-importation Act was recommended by the President, and an act for that purpose was immediately passed.

As a substitution for the rule of the war of 1756, Mr. Fox's ministry had issued a sweeping blockade of the whole coast from the Elbe to Brest; in retaliation of which, Napoleon had issued, on the 21st November, the Berlin decree. These measures were counteractive to each other; both unwarranted by the law of nations, and destructive to neutral commerce. On the 31st December, 1806, Mr. Monroe and Mr. Pinkney signed a commercial treaty with the British plenipotentiaries: but they had not been able to agree upon any article relating to impressment; and, after the treaty was signed, the British delivered to the American plenipotentiaries a declaration that the king reserved to himself the right of retaliating upon the Berlin decree, unless it should be effectively resisted by the United States; which was equivalent to the right of annulling the treaty itself, at his pleasure. A copy of the treaty was received by Mr. Jefferson on the 3d of March, 1807; but he declined submitting it to the Senate for their consideration. He sent it back to the American negotiators, with instructions to renew the negotiation. But, in the mean time, Mr.

Fox had died ; another ministry had succeeded his. George Canning was Secretary of State for Foreign Affairs. He declined resuming the negotiation of the treaty, and the war of orders in council and of imperial decrees was soon waged to the annihilation of all neutral commerce.

The whole course pursued by Mr. Jefferson throughout these transactions was dissatisfactory to the Federal party and to the commercial interest. The negotiation with Spain for the purchase of Florida had failed. Serious questions as to the extent of Louisiana, as ceded by France to the United States, had arisen. The pretensions of Spain had almost reduced it to the Island of Orleans ; and France had, in no equivocal manner, shown her disposition to sustain the pretensions of Spain. A general impression was spreading itself throughout the Federal party, and was now shared by members of the party which had supported Mr. Jefferson, that France was playing a false and perfidious game, of which he was the dupe or the instrument. The power of Napoleon was becoming a source of alarm and terror to the Federalists in general. They turned their eyes with sympathy to Great Britain, threatened by him with invasion, and which they considered as the only barrier against his ambition of universal empire. They became admirers of British policy, and devoted to British interests. They proportionally hated Napoleon and France ; and they conceived serious alarm lest Mr. Jefferson's partiality in his favor should involve the United States in war with Great Britain. The refusal of Mr. Jefferson to submit to the Senate the treaty negotiated by his own ministers highly aggravated these impressions, and was almost universally censured. It was not, however, disapproved by me ; for I thought the omission of an article to protect our seamen from impressment, and especially the declaration delivered after the signing of the treaty, ought to be an insuperable bar to its ratification by us ; and that, if Mr. Jefferson thought so, he would be bound to reject it, even if it should receive the advice and consent of the Senate to ratify. It would have been absurd to ask the advice of the Senate, and totally to disregard it when given.

During all these negotiations with Great Britain, the temper of the Federal party, especially in New England, had continued to be much exasperated against Mr. Jefferson ; but the whole current of public affairs, and especially the popular resentments being strongly excited against Great Britain, made the time altogether unpropitious for a separation of the Union and the formation of a new confederacy.

There were, however, bosoms in which the project still brooded ; and in proportion as the difficulties and dangers of Mr. Jefferson's administration increased were the exertions of these persons to disguise the fact that they were caused by the aggressions of foreign powers, and to impress the public mind with the belief that they were imputable to Mr. Jefferson himself. While the commerce of our country was suffering under a succession of vexatious orders of the British council, and under the changeable rules of her admiralty courts, her naval officers were indulged and countenanced in the practice of impressing seamen from the vessels of the United States at sea. This authorized system of kidnapping upon the ocean was practised under the odious pretence of a *right* in the King of Great Britain to force his own subjects into his naval service in time of war. To the execution of this law no judge, no jury, no writ of *habeas corpus*, affords to the British seaman the protection of liberty or of life. Its execution is on the desert of the ocean ; its executors armed men, — every lieutenant or midshipman in the navy, under no control but his will, under no responsibility but his discretion, interested to seize the man whose service he wants in his own ship, and sure of impunity for the outrage, even if the man should ultimately be discharged and restored to his liberty. The *pretence* was the right of the king to take his own subjects only ; the practice was to presume every man a British subject who was wanted. The burden of proof that he was not a British subject was put upon the seaman himself ; and a native American could not embark upon the ocean, without an authenticated document certifying his name, his age, his stature, and describing his eyes and nose and mouth and chin, the color of his hair and complexion, and the marks

and scars about his person,—like the advertisement for a runaway negro. Whenever an American merchant ship met a British armed vessel at sea, she was visited by a midshipman or lieutenant from the man-of-war, at whose command her whole crew was summoned upon her deck; and there every man of them passed in review before this often beardless boy, who compared their persons with their protections, and finished by taking or leaving the man, just as his temper or fancy decided his choice. Fellow-citizens, I describe to you what I have seen with my own eyes; and I heard a lieutenant in the British navy threaten to take a native of Charlestown, Massachusetts, from the ship in which I was, because he thought the person did not accurately correspond with the protection.

This practice had been pursued with varying degrees of rigor and of mitigation, according to the temper of friendliness or of hostility towards the United States prevailing at different periods in the British government. The temper of the naval officers was usually regulated by that of the ministry; and, when the first Lord of the Admiralty was in good humor, the lieutenants remitted their scrutinies, and the midshipmen abated of their insolence. During the residence of Mr. King in England, there was much intermission of the practice. A captain in the American navy had been dismissed by my father from the service, for permitting without resistance, against an overwhelming superiority of force, his men to be mustered, and some of them to be taken, though afterwards restored. At the close of Mr. King's mission, in 1803, he had been on the very point of obtaining a positive stipulation for the abandonment of the practice for ever. At other times, it had been resumed in forms of the most aggravating irritation. By frigates ranging along our seacoast and impressing men and boys from coasting vessels within our own waters, cases had occurred of vessels shipwrecked, of which the cargoes and crews had perished from the weakening of their hands by impressment of the men. A captain of a coasting vessel had been shot dead upon his own deck by a gun from a British frigate, fired to bring him to, almost in the

harbor of New York; and the captain of the frigate had passed through the forms of a trial, only to be acquitted. It is mortifying to be obliged to say that these outrages were not only palliated by a considerable portion of the Federal party, but there were those among them who made no scruple of justifying the British pretensions, and even charging Mr. Jefferson and his administration with provoking it by the seduction of British seamen from the service of their king.

On the 22d June, 1807, the American frigate "Chesapeake" sailed from Norfolk, for service in the Mediterranean. A British squadron was lying at anchor in the same port. The "Leopard," a fifty-gun ship of this squadron, weighed anchor immediately after the "Chesapeake;" followed her out to sea; and, within sight of the land and of the squadron, hailed the "Chesapeake," and demanded the delivery of four seamen, three of whom had deserted from the British frigate "Melampus," into which, though native Americans, they had been impressed. The fourth was said to be a deserter from a British merchant vessel. On the refusal of Commodore Barron to deliver up the men, a fire was commenced from the "Leopard" upon the "Chesapeake," wholly unprepared for action as she was, and unsuspecting of attack; and the flag of which was struck, after the loss of three men killed and sixteen wounded. A lieutenant from the "Leopard" was then sent on board of the American frigate; her crew was mustered upon the deck; the four men who had been demanded were taken from the ship, carried on board the "Leopard," transported to Halifax, there tried by a naval court-martial, and one of them hanged. One died there in confinement; the two others, five years afterwards, on the 13th June, 1812, were returned to the "Chesapeake" frigate at Boston.

In relating this transaction at the distance of two and twenty years since it happened, will my countrymen forgive the emotion which, upon the recital of it, I cannot suppress! It was the last step in a gradation of outrages which it was painful enough to an American to see his country endure from foreign insolence and oppression. Judge, then, *now*—judge upon this cold narrative, twenty-two years after the

event — of my feelings when I heard this transaction of the British admiral, Berkeley, openly justified at noonday by one of my now confederate correspondents, in a public insurance office upon the exchange at Boston.<sup>1</sup>

This, this was the cause, and not (as the inventive Mr. Giles would make you believe) the embargo, or *his* political pandarism, which alienated me from that day and for ever from the councils of the Federal party. I contested warmly, in the insurance office, the position of this gentleman, — that British naval officers had a *right* to seize and carry away from an American ship-of-war any deserter from the British navy. The discussion between us assembled a circle of citizens around us, and became so painfully animated that, from that day, there has been little personal intercourse between that citizen and me. Far, very far would it have been from my disposition to revive the memory of this occurrence, had he not thought proper at this time to denounce me before you as an unjust accuser, for charges which nothing but his own assumption had pointed at himself.

Mr. Jefferson immediately issued a proclamation convening Congress to meet on the 26th October, and another interdicting the admission of British armed vessels into the ports and harbors of the United States. In this last paper, the transaction to which I am referring was thus justly related: "A frigate of the United States, trusting to a state of peace, and leaving her harbor on a distant service, has been surprised and attacked by a British vessel of superior force, one of a squadron then lying in our waters, and covering the transaction; and has been disabled from service, with the loss of a number of men, killed and wounded. This enormity was not only without provocation or justifiable cause, but was committed with the avowed purpose of taking by force, from a ship-of-war of the United States, a part of her crew; and, that no circumstances might be wanting to mark its character, it had been previously ascertained that the seamen demanded were native citizens of the United States. Having effected

<sup>1</sup> See the Memoirs of J. Q. Adams, vol. i. p. 468, entry for July 9, 1807.

his purpose, he returned to anchor with his squadron within our jurisdiction."

The news of this "affair," as it was afterwards sometimes called, reached Boston, where I then resided, on the 30th June. Wherever it had been known, it had excited a general burst of indignation; and numerous meetings had been held of the people, at which resolutions had been adopted expressive of their abhorrence of the deed, and their determination to sustain the government in any measures which might be required to obtain reparation and atonement. I proposed to a Federal friend of mine that the principal Federalists of the town should take the lead in promoting a strong and clear expression of the sentiments of the people, and, in an open and free-hearted manner, setting aside all party feelings, declare their determination at that crisis to support the government of their country. The principal Federalists, as my friend informed me, did hold a consultation, and *declined* making application to the selectmen to call a meeting of the inhabitants of the town. The government of the town was altogether Federal; and an application to the selectmen, from the party supporting Mr. Jefferson's administration, would have been fruitless. My conversation at the insurance office above noticed was on the 9th July; and, on the 10th, an informal meeting of the citizens of Boston *and the neighboring towns* was called, by the friends of Mr. Jefferson, to meet at the new State House. I had so little intercourse with the party, that I was not consulted upon the calling of this meeting, and knew not by whom it was convened; but I determined to attend it, and did so. Mr. Gerry was the moderator of the meeting; and I heard with delight his declaration that, on such an occasion, if he had but a day more to live, he should feel himself called upon to devote it to his country. A committee was immediately appointed to draw up and report resolutions to be adopted by the meeting. Of this committee I was chosen a member by the citizens there assembled, together with six other persons, — all friends and supporters of Mr. Jefferson's administration. The committee retired to the Senate chamber of the State House, and there agreed to four resolutions,



which were reported to the meeting, unanimously adopted, and published the next day, signed by all the members of the committee, and of course by me.

The fourth of these resolutions was in these words: —

“Resolved unanimously, that, though we unite with our government in wishing most ardently for peace on just and honorable terms, yet we are ready cheerfully to co-operate in any measures, however serious, which they may judge necessary for the safety and honor of our country, and will support them with our lives and fortunes.”

Fellow-citizens, in affixing my name to this resolution, and giving it thus pledged to the world, I did not act without deliberation, nor disburden my conscience with the thought that I was using idle words. And now you have the plain and simple tale of what has been called my apostasy from the Federal party, and what the confederates are pleased before you to term my desertion of my former friends. This was the occasion, and this the cause, of my secession from the party. It was done in broad and open day, with the public pledge of my name, and before the face of my country, — done after a fruitless effort by me to prevail upon them to give the same pledge for themselves, and to promote it from the inhabitants of the town. I leave it for you and for posterity to judge whether it was I who deserted them, or they who deserted their country.

The day after this meeting, a warm Federalist, who had long been my personal friend, said to me that I should *have my head taken off* by the Federalists for apostasy;<sup>1</sup> and, from that day, I was given to understand that I should no longer be considered as having any communion with the party; and, two days afterwards, an article appeared in one of the Boston newspapers formally reasserting the doctrine, that the commanders of British men-of-war had a *right* to seize and take away deserters from British ships found on board of the public vessels of the United States.

But the honest feelings of the people did not long endure such lessons of national law as that; and two days more had

<sup>1</sup> See Memoirs of J. Q. Adams, vol. i. p. 469.

not elapsed before a regular town meeting was called by those very leading Federalists who had refused to call it at my suggestion, and for the very purposes which I had recommended.

This town meeting was held at Faneuil Hall on the 16th July, 1807. I attended this meeting also, though it had been called without consulting me. I was chosen chairman of a committee of nine citizens to report resolutions similar to those which had already been adopted at the meeting on the 10th. Two of my present confederate correspondents—Harrison Gray Otis and Thomas H. Perkins—were members of that committee. Two-thirds of its members, not including myself, were Federalists. The two following resolutions were unanimously reported by this committee, and unanimously adopted by the town meeting:—

“Resolved, that we consider the unprovoked attack made on the United States armed ship ‘Chesapeake’ by the British ship-of-war ‘Leopard’ a wanton outrage upon the lives of our fellow-citizens, a direct violation of our national honor, and an infringement of our national rights and sovereignty.

“Resolved, that we most sincerely approve the proclamation, and the firm and dispassionate course of policy pursued by the President of the United States; and we will cordially unite with our fellow-citizens in affording effectual support to such measures as our government may further adopt in the present crisis of our affairs.”

This pledge, it will be perceived, was given in terms not quite so strong as that of the previous meeting on the 10th. But to me it was of equivalent import. This was the pledge of Federalists; that, of Mr. Jefferson’s supporters. I signed them both, as a member of both committees. How this last was redeemed by those of the confederates whose names are signed to the resolutions of the town with mine, they, perhaps, can inform you. Leaders of parties who are only driven by the impulse of popular opinion, when they seem themselves to lead, must not be held to a very strict account of connection between promise and performance. I must in justice say, that neither George Cabot, Theophilus Parsons, nor John

Lowell attended this meeting. *They* gave no pledges; nor were the public journals of Boston, within six months after, without their seasonings of sarcasm upon the compliances to popular delusion of those more flexible leaders who did.

Mine was given with a determination faithfully to redeem it; but it was no adoption or profession of any new principle. It was no *conversion*. By the resolutions of the town meeting on the 16th July, my friends — if they are so pleased to consider themselves — returned to me; proving thereby that I had not deserted them. It was too much for them to expect that, after twice giving such a pledge within one week, I could ever afterwards learn to justify the impressment of seamen from American vessels by British men-of-war, or charge it to Mr. Jefferson's administration, upon a pretence of their seducing British seamen from the service of their king.

It was between this time and the meeting of Congress on the 26th October, 1807, that I saw the letter from the Governor of Nova Scotia, of which I afterwards apprised Mr. Jefferson. It was written just after the arrival at Halifax of Admiral Berkeley with the men taken from the "Chesapeake."

Such was the state of our public affairs with Great Britain, and such were my relations with the Federal party and with Mr. Jefferson's administration, at the commencement of that session, October, 1807. I was discarded from the Federal ranks for having joined the supporters of that administration in pledging myself openly to sustain them against this wanton outrage of Great Britain, — a pledge which they, the Federalists, had refused, at my suggestion, to give; which, within one week afterwards, by the overwhelming force of the popular feeling, they were compelled to join me in giving.

Congress was convened six weeks earlier than their usual time of meeting, to deliberate upon the measures to be adopted upon the emergency. As a member of the Senate, it was my duty to take part in those deliberations; and it was the duty of the administration to propose the system of measures which they thought best suited to the occasion.

The British government disavowed the act of Admiral Berkeley in attacking the frigate "Chesapeake," and taking from her by force the seamen ; but they took exception to the defensive measure of the President in interdicting to British armed vessels the admission into the ports and harbors of the United States, and insisted upon the repeal of that interdict as a preliminary to their offer of reparation for that atrocious aggression. They issued, shortly afterwards, a royal proclamation *commanding* their naval officers to impress all British natural-born subjects from neutral merchant vessels, and to demand the release and discharge of such British subjects from all neutral ships of war. And Admiral Berkeley underwent promotion, instead of punishment. After a suitable time passed in quibbling and cavilling upon that reparation, which ought to have been made at the instant the knowledge of the deed was received, by Mr. Canning, then Secretary of State for Foreign Affairs, with Mr. Monroe, they despatched Mr. Rose as a special envoy to the United States to discuss the matter, through the winter, with Mr. Madison, and to do nothing. Mr. Canning at that time, even more than at the latter period of his life, prided himself upon his satirical talents, which he carried into his official conduct ; and, as a practical sarcasm, almost on the same day, despatched Mr. Rose on a mission of professed reparation for a wrong, and issued the orders in council of 11th November, 1807.

At the commencement of the session of Congress, the message of President Jefferson presented an exposition of our relations with foreign powers as then existing. It mentioned the signature of the treaty of commerce by Mr. Monroe and Mr. Pinckney ; the objections against its ratification by the United States, which had occasioned its being returned to England, with additional instructions to our ministers, proposing the modifications under which it would have been rendered acceptable. It stated that while we were reposing in confidence on this reference to amicable discussion, the attack on the "Chesapeake" frigate, and the subsequent aggravation of that outrage, till the execution at Halifax of one of the men taken from that ship, had occurred ; that a

vessel of the United States had been despatched with instructions to our Ministers at London to call on the British government for satisfaction and security; that the answer might very shortly be received; and, together with the unratified treaty and proceedings relative to it, should be communicated to Congress.

The answer was the mission of Mr. Rose, and the orders in council of 11th November, 1807.

The conflict of orders and decrees against neutral commerce had commenced, on the 16th May, 1806, by the proclamation blockade by the British government of the whole coast of the European Continent, from the Elbe to Brest. To this had been added, in January, 1807, an order interdicting all neutral commerce between one enemy's port and another. In retaliation of the blockade, Napoleon had issued, on the 21st November, 1806, at Berlin, a decree declaring the British Islands in a state of blockade; subjecting to seizure and confiscation all British property found within the territories under his dominion, and forbidding the admission into his ports of any vessel coming directly from England, or having been there after the publication of this decree. The language of the decree itself was ambiguous. In declaring the British Islands in a state of blockade, it did not authorize the capture and condemnation of vessels and cargoes bound to them. The detail of regulations directing seizures and confiscations was limited to operations within the French and Italian territories, and gave no authority to make captures by sea. An explanation of its intentions was demanded by General Armstrong, the Minister of the United States in France, who received an equivocal answer. But no condemnation of any American vessel had taken place under it until the 11th November, 1807,—the very day upon which the British order in council was issued.

This order in council was professedly retaliatory upon the Berlin decree of Napoleon. It subjected to capture and condemnation every neutral vessel and cargo bound to any port or colony of any country with which Great Britain was then at war, and from which British vessels were excluded. The

British order and the French decree, operating together, placed the commerce and shipping of the United States, with regard to all Europe and European colonies (Sweden alone excepted), in nearly the same state as it would have been if, on that same 11th of November, England and France had both declared war against the United States.

The British order did, indeed, leave permission to the vessels of the United States to come to British ports; and the French decree did not prohibit their admission with cargoes, the produce of the United States, into the ports of France, if they had not been in any British port after the publication of the decree. But no American vessel could have dared to go to sea under a hazard less than that of a complete war premium of insurance.

The first decision of a French tribunal condemning an American vessel and cargo under the Berlin decree, and an unofficial account of the British order in council of 11th November, 1807, were received by Mr. Jefferson on the 17th December, 1807. The next day he communicated to Congress the decision, with the British proclamation commanding the impressment of seamen from neutral merchant vessels, and recommended the embargo.

Mr. Jefferson had brought himself very reluctantly to the proposal of this measure, which he justly considered at that crisis as the only alternative for war. He proposed it after a consultation of the principal friends of his administration in both Houses of Congress, to whom it was as unwelcome as to himself; but who, upon a view of the whole state of things, were convinced that without an immediate embargo war was unavoidable. Within three months, under the operation of the order in council, the whole commerce of the Union would have been carried into British ports for adjudication; Mr. Rose's mission would have terminated, as it did, in a voluntary abortion; it would be then too late for an embargo; and the next and only expedient would have been war.

The act for laying an embargo passed through its three readings in the Senate in one day. It was very feebly opposed. The only struggle made was for delay; and the

bill passed by a vote of 22 to 6. In the House of Representatives, it was debated earnestly for three days, and then adopted by a large majority of its members. At this distance of time, I remain under the fullest conviction that, had not the embargo been laid, the war could not then have been prevented.

As the order in council had not been officially received, it could not be communicated with the other documents to Congress; but it was the principal cause for laying the embargo. It was officially communicated by Mr. Jefferson, by a message on the 4th February, 1808; and had been followed on the 25th November by another order in council, fixing a rate of duties to be paid in England upon all neutral merchandise which should be permitted to be carried by neutral vessels to countries at war with Great Britain. It was the tribute to be paid by neutrals, to Great Britain, for permission to trade with her enemies. And, in speaking of neutrals, the United States alone were intended: there were none in Europe.

I was at this time in communion with no party in the United States. The Federalists had renounced me for attending the first meeting at Boston upon the affair of the "Chesapeake," and there pledging myself to support the government in any necessary measures for vindicating the rights and honor of our country. They had, indeed, within a week afterwards, given the same pledge; but the *leaders* of the dismemberment project of 1804 had not united in giving it. They had lost their ascendancy for a moment. The orders in council of November, 1807, and the embargo, restored it to them, and they immediately resumed their sway. The followers, who only seem to lead, forgot their pledges of the 16th July, and joined in the full chorus of the pack against the embargo. I had no political connection with Mr. Jefferson or his administration; I sought none. As a member of the Senate, I took an active and laborious part in all the important measures of the session. On the 28th October,—the day after the delivery of the President's annual message,—I offered the two following resolutions:—

"That so much of the President's message as relates to the

recent outrages committed by British armed vessels within the jurisdiction and in the waters of the United States, and to the legislative provisions which may be expedient as resulting from them, be referred to a select committee, with leave to report by bill or otherwise.

“That so much of the said message as relates to the formation of the seamen of the United States into a special militia, for the purpose of occasional defence of the harbors against sudden attacks, be referred to a select committee, with leave to report by bill or otherwise.”

Both these resolutions were adopted. I was chairman of the committee upon the first, and reported a bill for the more effectual preservation of peace, and maintenance of the authority of the United States in the ports, harbors, and waters under their jurisdiction, which passed the Senate with only three dissenting voices; but which, after the change in the state of affairs by the embargo, was indefinitely postponed by the House of Representatives.

I was a member of the committee which reported the embargo bill, and assented to it with reluctance, but with a full conviction that it was indispensably necessary to save the country from war; but I was of opinion that it ought to be only a temporary measure, and that a system of arming, public and private, by sea and by land, should have been forthwith commenced, to take as soon as possible its place. On the 11th January, 1808, I offered the following resolution:—

“That a committee be appointed with leave to report, by bill or otherwise, and instructed to inquire at what period the present embargo can, consistently with the public interest, be removed; and whether and in what manner and to what extent, upon its removal, the merchant vessels of the United States shall be permitted, in defence of their lawful commerce, to be armed against and to resist foreign aggression.”

I obtained upon this motion in the Senate, only a vote of 10 to 17.

I was a member of a committee who reported a bill to authorize and require the President of the United States to cause to be prepared for service the frigates and other armed ves-



sels of the United States. This bill passed the Senate by a vote of 21 to 5, but did not pass the House of Representatives.

The British orders in council of November were soon followed by a decree of Napoleon, issued at Milan, dated 17th December, 1807, professedly retaliatory upon them; which declared every ship, to whatsoever nation belonging, which should have submitted to be searched by an English ship, or to a voyage to England, or should have paid any tax to the British government, denationalized and subject to capture and condemnation. The British Islands were declared to be in a state of blockade by land and sea, and every vessel bound to or from British ports was alike subject to capture and confiscation.

These successive acts of the British and French governments, incompatible with the existence of any neutral commerce, were communicated to Congress by successive messages of the President, on the 2d, 25th, and 26th February, 17th and 22d March, and on the 2d April. He communicated, also, the ineffectual remonstrances of the ministers of the United States in France and England against them. The diplomatic chicanery of Mr. Rose's mission terminated by the rupture of his negotiation, about the 20th February; and, on the 25th March, an act of Parliament gave the sanction of British law to the orders in council of November. Spain had issued decrees of the same purport with those of Napoleon. Mr. Jefferson's messages recommended an augmentation of the army, and an additional establishment for the military academy at West Point; both of which were authorized by acts of Congress.

The embargo was the signal for the resumption of the project of 1804 for a separation of the States and the formation of a new confederacy. The means by which it was to be effected was by organizing resistance against it, under the authority of the legislatures of the States most affected by it, and by forming an assembly of delegates from those legislatures to act as a constituent Congress.

It has been seen, from the foregoing narrative, that, from

the spring of 1804, when the project had been formed, until this time, every occurrence in public affairs had been unfavorable to its execution. The successive altercations with Great Britain, both with regard to the impressment of seamen and to the aggressions upon neutral commerce, had hitherto turned the tide of popular opinion against Great Britain; and although in her contest with Napoleon all the sympathies of the Federalists were in her favor, and although a remnant of attachment to her institutions, her laws, language, literature, and manners, had lingered in the minds of her descendants, and were used as manageable prejudices by able writers and statesmen, they could not altogether counteract the resentments excited by her outrages, nor look to her for a standard auxiliary to that of New England. But the slave representation of the South; the rapidly growing population, power, and influence of the West; the apparent coalition of those two interests against the interests of commerce, and especially of New England; the immense accession to their power by the acquisition of Louisiana, and its consequences; the hatred of Mr. Jefferson and his principles, — still rankled in the bosoms where they had first been planted, and were in no wise assuaged, either by the continued proscription of Federalism which marked all his appointments to office, or by the personal consideration which might have justified a more popular selection of those to whom his favors were extended. With a few exceptions, the great mass of the talents of New England was Federal. The colleges, the clergy, the principal lawyers (including the judges), the wealthy merchants, were almost universally of that denomination. By the partialities of party feeling, they had persuaded themselves that they possessed all the talents; and the delinquencies of certain individuals of Mr. Jefferson's appointment, as well as of others who had risen to power in the State government of Massachusetts after its conversion to Democracy, led them far to the conclusion, that all the honesty of the country was also with them. To this was now added a new mania; for it scarcely deserves another name. The Federalists, from a very early period, had been shocked and disgusted with the

progress of the French Revolution, which had been viewed with favor, cheered, and almost recommended to the imitation of our own country, by Mr. Jefferson and his partisans. This revolution, commenced under the auspices of liberty, equality, and fraternity, then prosecuted under those of a ferocious and frantic democracy, had now declined into a rank, hereditary, military despotism, with a soldier of fortune at its head, whose fortune had turned his own, — who had conquered already great part of Europe, and was proclaiming to the world his day-dreams of universal empire.

Mr. Jefferson had no partialities for *him*, or for his imperial or his iron crown. But Mr. Jefferson's political system considered France as then, at least, the natural ally of the United States; and he had purchased Louisiana from the government of Napoleon. The Federalists had always considered France with some jealousy and suspicion. They now looked upon the French Revolution as a great imposture, — a calamity to the human species; and they observed the character and career of Napoleon with terror and abhorrence. He had conquered Italy, subdued the Netherlands, dismembered Prussia and Germany, humbled Austria, and intimidated Russia. Great Britain herself had cowered before him at the peace of Amiens; and he had recommenced the war against her, with threats of invasion at which the stoutest hearts of her statesmen had trembled within them. Partaking something of the panic themselves, they infused it (from motives of policy as well as of patriotism) throughout the nation; and they proclaimed and preached, over the whole civilized world, that they were fighting, not only for their own existence, but for the liberties of mankind, and that Britain was the last and only barrier against the universal conqueror. It was under this pretence, too, that they trampled upon all the rights of neutrality; and, disguising the fact that the first example of outrage upon them had been set by themselves, affected to justify every step of their own licenses of robbery by the pretext that they were mere retaliations upon the Berlin and Milan decrees. The extent to which the Federalists yielded their assent to these mystifications would at

this day be incredible. They seem to have been entirely forgotten by my confederate correspondents, when they indulge their merriment at my credulity for believing that the letter from the Governor of Nova Scotia could possibly be calculated for effect; and, if they were not recorded — indelibly recorded — in the works of Fisher Ames, I might well be apprehensive of receiving a peremptory call for names and evidence, upon penalty of being branded as an unjust accuser for remembering the toast of "The world's last hope, the Fast-anchored Isle," or the political homily upon the "bulwark of our holy religion."

With these sentiments prevailing almost universally among the Federalists of New England, the projectors of the Northern confederacy of 1804 recommenced their operations. The moment selected for them was that when, by the pressure of the orders and decrees of both the belligerent powers, the government of the United States was placed in the most imminent peril of war. The refusal of the British government to resume the negotiation of the commercial treaty, the proclamation commanding the impressment of British seamen from neutral merchant vessels, and the mission of Mr. Rose, professedly to adjust the affair of the "Leopard and Chesapeake," were contemporaneous measures. They were announced by Mr. Canning to Messrs. Monroe and Pinkney, by notes full of that disingenuous sophistry, overbearing arrogance, and cutting sarcasm, which, at that period, marked the character of all that statesman's official communications, and to which, even at the last and most brilliant period of his life, he never rose entirely superior. His conduct towards the United States at that time was as offensive in form as it was unjust and hostile in substance. That of the French government was equally insupportable, and even more openly insulting. Each of the parties reproached the American government for submitting to the lawless depredations of the other. The government of the United States needed the pulse of every heart, and the aid of every hand, in support of the interests of the country, when Timothy Pickering hurled a firebrand upon the stage. The embargo had been two

months in operation. It saved the commerce and the seamen of the Union from depredation ; but it choked up all the channels of trade. It relieved Great Britain from the odium of general depredations ; but, by interrupting all commercial speculations, it performed itself much of that which foreign oppression could no longer accomplish. The situation of the administration was in the highest degree perilous and distressing. Mr. Rose, after putting forth an inadmissible preliminary condition to *any* offer of satisfaction for the outrage upon the "Chesapeake," could only refer to his government the proposition made by Mr. Madison. Mr. Pickering waited until it was ascertained that Mr. Rose's negotiation would fail, and then wrote a letter to the Governor of Massachusetts, denouncing the embargo, and calling for a joint resistance against it by the commercial States.

This letter was, both in form and substance, an appeal from the government of the Union to the government of the State of Massachusetts, with the avowed purpose of stimulating the power of the separate State to a resistance of force against a law of the Union ; and it contained the first proposal for a concert of the commercial States for the same purpose. It was the project of 1804, reproduced by the same individual who had then ineffectually urged Alexander Hamilton and Rufus King to take part in the same design.

The letter of Mr. Pickering was unexampled, and in principle unconstitutional. Under the Congress of the confederation, that body was a diplomatic assembly of representatives of separate States. The Senate of the United States is a branch of the legislature ; and each Senator is a representative, not of a single State, but of the whole Union. His vote is not the vote of his State, but his own individually ; and his constituents have not even the power of recalling him, nor of controlling his constitutional action by their instructions. No instance had in twenty years before — that is, since the existence of the Constitution of the United States — occurred of such an appeal by a Senator of the United States to the government of the State by whose legislature he had been chosen. Its principle was itself a dissolution of the Union, — a transfer

of the action of the national government to that of the separate States, upon objects exclusively delegated to the authority of the Union.

Mr. Pickering in that letter made no direct personal allusion to me; but it was in substance a rancorous denunciation of me and of my conduct in the Senate, before our common constituents, the legislature of Massachusetts. It was prepared precisely in time to operate upon the elections then approaching to the legislature of the State; and that legislature was to elect a Senator for the expiration of my term of service, which would be on the then next 8d of March. In this purpose of the letter, Mr. Pickering was successful. The Governor of Massachusetts declined communicating his letter to the legislature; upon which Mr. Pickering, through his usual confidential correspondent at Boston, Mr. George Cabot, afterwards president of the Hartford Convention, published it about the 10th March, 1808.

I have never doubted that the object of Mr. Pickering was the ultimate substitution of a Northern confederacy, in alliance with Great Britain, for that of the United States; and I had many reasons for believing that Mr. James Hillhouse, then a Senator from the State of Connecticut, concurred with him in these views. In his conversation, indeed, he did not disguise that such were his theoretical opinions; and I had reason to believe that he was well acquainted with and fully approved the project of 1804.

On the 12th April, 1808, this gentleman submitted to the Senate sundry resolutions for the amendment of the Constitution of the United States, which, in the journal of that day, it is said, were read for consideration. They were accompanied by a written dissertation, which Mr. Hillhouse read in his place, and which occupied him nearly two hours in reading. The resolutions formed the basis of a constitution totally different from that of the United States. Mr. Hillhouse is a man of keen intelligence. It was impossible that he should have imagined there was the remotest possibility that his propositions could obtain a vote of one-fifth of either House of Congress. Yet he was not a man to waste his time

and talents upon mere unpurposed political speculation. After he had read his dissertation, in the jocular familiarity with which very serious opinions are sometimes conveyed I said to a friend, — I believe to himself, — “it was the constitution for the Northern confederacy.” Mr. Hillhouse never afterwards brought his resolutions before the Senate of the United States ; but some trace of them may be found in the amendments to the Constitution proposed by the Hartford Convention, though he was not a member of that body.<sup>1</sup>

I have said that, in supporting the embargo and the other prominent measures of Mr. Jefferson’s administration at this session of Congress, I had been disconnected from all parties. In the month of January, 1808, I received, however, the circular invitation to attend the meeting of Republican members of both Houses of Congress, to fix upon candidates for the office of President and Vice-President at the ensuing election ; and did attend that meeting, and voted at it for George Clinton as President ; and, the majority of votes for that office having been for Mr. Madison, I voted also for Mr. Clinton as Vice-President, that being the office which he then held. I sought no personal intercourse upon public affairs with Mr. Jefferson, or any member of his administration. Mr. Giles was generally considered as the most confidential member of the Senate ; and Mr. Wilson Cary Nicholas, of the House of Representatives. I have related the interviews I had with Mr. Nicholas, which were at his own request. With Mr. Giles I was sitting, almost every day throughout the session, upon committees, preparatory to the important measures of the session. I never gave him the most distant idea that I had changed any one political opinion that I had ever entertained, or that I had any desire of conciliation with Mr. Jefferson, or of being admitted to the party consultations of his friends. Mr. Giles himself became very confidential in his communications to me with regard to persons as well as measures ; but I have never betrayed his confidence ; and, to avoid all possible misconstructions of my motives in the cordial and earnest support which I gave to the measures of the

<sup>1</sup> This is an error. Mr. Hillhouse was a member of the Convention. See his letter, p. 420.

administration, I assured him that I had no personal object to ask or desire from that administration whatever. I said the same to others of both parties, and particularly to my friend Mr. Quincy, then a member of the House of Representatives. On the 1st of February, 1808, he requested of me a private interview at his chamber, and there inquired of me the motives of my conduct; which I exposed to him with the utmost candor. "He said to me that my principles were too pure for those with whom I was acting, and that they would not thank me for them. I told him I did not want their thanks. He said they would not value me the more for them. I told him I cared not whether they valued me for them or not. My character (such as it was) must stand upon its own ground, and not upon the bolstering of any man or party. I fully opened to him my motives for supporting the administration at this crisis, and my sense of the danger which a spirit of opposition at this time is bringing upon the Union. I told him where that opposition, in case of war, must in its nature end; either in a civil war, or in a dissolution of the Union, with the Atlantic States in subserviency to Great Britain; that to resist this I was ready to risk, if necessary, every thing I have in life, and even life itself. I intimated to him that he would be called perhaps, ere long, to make the election which side he would take, too. He said he did not see the prospect in the same light; but, if he did, he should also be ready to meet that question when it came. He did not say which side he should take."

This passage in inverted commas is a literal copy of a memorandum of the conversation made by me at the time. I said nothing in this conversation to Mr. Quincy of the disunion project of 1804. It was six weeks before the appearance of Mr. Pickering's embargo letter. I spoke of the inevitable tendency of the opposition, in the event of a war. My countrymen, go back with me to that day; take into view the situation of our country under the British orders in council of November, 1807; the impressment proclamation; the refusal to continue commercial negotiations; the insulting language of Mr. Canning, and the paltering mission of Mr. Rose; the Berlin and Milan decrees of Napoleon, and the



insolence of Champagny, his minister, outrivalling that of Canning, — and ask my confederate correspondents now to tell you to what other possible result an opposition like that then carried on against Mr. Jefferson's administration could arrive, other than that which I then foretold to Mr. Quincy. Remember that this was close upon seven years before the Hartford Convention. Remember that this opposition was continued in the same spirit and under the same professions, from the day of this interview till the day of the ratification of the peace of Ghent; and what said the Hartford Convention itself, on the 5th January, 1815, was to be the consequence, if the war with Great Britain should be continued under such circumstances as, they well knew, it must have been if at all?

"This Convention will not trust themselves to express their conviction of the catastrophe to which such a state of things inevitably tends."

But that which the Convention would not trust themselves to express is very clearly stated by Mr. James Lloyd, in a letter to my father, dated 8th March, 1815, from which the following is an extract: —

"It was not, however, the storm that howled along the lakes or upon the seaboard that created the apprehension of an instant for the fate of the contest; but it was the hidden fire that was rumbling within our own bosoms, and which, under the continuance of the war, would, I believe, have made our country the theatre of domestic convulsions as well as of foreign warfare, and perhaps, from its effects, would have offered up some parts of it as no very difficult prey to the mercy of the enemy."

It was within a month after this interview of mine with Mr. Quincy, and immediately after it was ascertained that Mr. Rose's mission would come to no satisfactory conclusion, that Mr. Barent Gardinier, a member of the House of Representatives, charged a majority of that body with a subserviency to Napoleon equal to that of the Council of Five Hundred to the first consul. The consequence of which was a personal insult to Mr. Gardinier in the House; which he resented by a challenge; and a duel followed, which nearly terminated his

life. Two days after that event (as I have already related), Mr. Wilson Cary Nicholas requested two successive interviews with me; at the second of which he desired me to call upon Mr. Jefferson, as well to apprise him of the fact of the letter which I had seen from the Governor of Nova Scotia, as to satisfy me, from the declaration of Mr. Jefferson himself, that the charges against him of his being under subserviency to France were utterly without foundation. Mr. Giles, a week afterwards, repeated this request; and I called upon Mr. Jefferson on the 15th March.

Mr. Pickering's first embargo letter had not then appeared. I received a printed copy of it the next day from Boston; and I answered it by a letter addressed to the first of my now confederate correspondents, dated on the 30th of the same month. He had, on the 16th July preceding, joined in giving the solemn pledge of support to Mr. Jefferson's administration in all measures necessary for obtaining reparation to the national honor for the outrageous attack upon the "Chesapeake." Mr. Pickering had not; nor had Mr. Cabot. That outrage was not repaired. Others, grievous and heavy, had been heaped upon it, in quick and melancholy succession. I did hope that a man bearing the name of Otis would shrink from the sorry task of justifying or palliating the impressment of American seamen from an American ship; would scorn the subterfuge of winking away the orders in council of November, as causes of the embargo, because the embargo was laid without waiting for a diplomatic authentication of them under the great seal; would spurn at the petty artifice of holding Mr. Jefferson responsible for the atrocities of Napoleon Bonaparte. I did hope he would have eyes to see that opposition, upon the plan marked out in Mr. Pickering's letter, *could* lead to nothing but civil war or disunion; and that, seeing it, he would disdain to be blown about by every flaw of momentary and local opinion; that, true to his pledge of the 10th July, he would listen to nothing but the voice of his country, and would *take* the lead to which his talents called him, give party gibberish to the winds, and speak with the voice of Demosthenes for the rights, for the honor, for the interests, of his country against foreign aggression.

Oh! if the spirit of James Otis had then animated his soul, he never would have been reduced to the task of disavowing the deeds, and of composing panegyrics upon the patriotism, of the Hartford Convention. It did not so seem good to him. At that trying hour, it was not British impressment, not the burning disgrace of the attack upon the "Chesapeake," not the British orders in council, not the galling insolence of Mr. Canning's correspondence, — against which he felt it his duty to raise his voice and hand. No: it was Mr. Jefferson and the embargo. He took his system of politics from Mr. Pickering's embargo letter. He pursued that system till its extinction. It landed him in the Hartford Convention, in formal recommendations to the State legislatures to pass laws directly resisting the laws of the Union, and in "*not daring to express*" what was to follow if the war should be continued.

Mr. Otis is not one of those whom I ever heard or believed to have been engaged in the project of 1804. That he had never heard of it, he now so solemnly declares that I cannot disbelieve him; but he must give me leave to say, that, if he did not, he little knew the rudder by which his own sailing courses were regulated from the publication of Mr. Pickering's embargo letter till the proclamation of the peace of Ghent. My acquaintance with Mr. Otis is of more than forty years' standing; there are ties of private relation between us, which I had hoped he would never tear asunder. They cannot now be severed without a pang to me scarcely less than that which cracks the cordage of the heart. How long it has been since he has seen fit to look at me as an adder in his path is best known to himself, — perhaps not unknown to me. But, for forty years and more, his deportment to me personally has been that of courtesy and kindness, and his professions those of friendship. There was something even of intimacy between us in youth; and, whatever his jealousies and suspicions may have whispered, never once in my life have I crossed the path of his ambition, — not even when the numbers of "One of the Convention" were preparing the way for a diplomatic mission to France.<sup>1</sup> In his associated letter to me, and in his

<sup>1</sup> See Memoirs of J. Q. Adams, vol. ix. 187.

appeal, fellow-citizens to you, he has now thrown aside the mask, and indulged his feelings without reserve. It would have been more manly in him to have presented himself in this attitude alone, without his twelve compurgators, — without the men of two generations, not one of whom has, I believe, ever looked upon me as his rival. He should have felt that the charge of official defender of the Hartford Convention had exclusively devolved upon him; that the license of divulging their secrets had been exercised only by him; that all its other members had faithfully observed that solemn injunction of secrecy, with the renewal of which they had separated; and he should not have drawn twelve men of spirit and of honor — some of them till then my dear and valued friends — to join him in reproaching me for the slanders of Alexander Hamilton upon my father.

My embargo letter was not entirely lost upon him. He never answered it, and, for some time, kept his opinions in reserve. The parties in the Commonwealth were so equally divided that the result of the annual elections was, till the meeting of the legislature, a problem. Governor Sullivan, an ardent friend of Mr. Jefferson's administration, was re-elected. By a representation of forty-three members from the town of Boston, a bare Federal majority was secured in the House of Representatives. By the representation of the same town as county of Suffolk in the Senate, a bare majority was also obtained in that branch; and one of the first things effected by this majority was to elect a Senator of the United States to take my place after the ensuing 3d of March. The exultation with which this party victory was accomplished still dwells in the memory of some of the confederates; and no one better knows than Mr. Otis by what means it was effected. He was one of the members of the Senate from the county of Suffolk, and president by the same majority which elected a successor to me. But his father, then Secretary of the Senate of the United States, — always my friend, as I was a warm and faithful friend to him, — told me at the time that his son, like himself, was mortified at the election of another person in my place; that his son had done every thing in his

power to prevent it, but could not ; that the tide ran too strong ; that "*the Essex Junto were omnipotent.*"

The election of a Senator of the United States to supply my place was made at the first or summer session of the Massachusetts legislature of 1808. Resolutions were about the same time adopted by the same legislature, giving instructions to their Senators in Congress, which I disapproved and could not have carried into execution. I immediately resigned my seat in the Senate. My motives for this step were exposed in a letter to Mr. W. B. Giles ; which, with the letter from him to which it was the answer, I now lay before you : —

WASHINGTON, Nov. 7, 1808.

DEAR SIR, — Permit me, in the undisguised spirit of friendship, to express to you my regrets at not meeting you in the Senate chamber this morning.

I regret your absence, not only on account of the pleasure I had some time since anticipated by co-operating with you in pursuing such measures as might be deemed best calculated to promote the general welfare, but on account of the actual loss our country has sustained in being deprived of your important services, — at the moment, too, when it stands most in need of them.

I also regret to find that the purity and disinterestedness of the motives which dictated your late public conduct — and which, with great pleasure, I can attest — should not have shielded you from the most unmerited reproaches.

But in times like these, when the passions are stimulated into action by so many concurring causes, truth and justice seem to be totally disregarded, and private character to be the sport of party sensibility. Indeed, the holy temple itself does not seem too sacred for profanation by the mad ambitions of infuriated demagogues.

I confidently hope, however, that our country will not long sustain the loss of your able and unremitting exertions in its favor ; but that, as soon as the public delusion shall have vanished, you will again appear upon the theatre of public life,

supported by an increased confidence of the nation, and thus enabled to render it still greater services than you have heretofore done,—a confidence necessarily resulting from the firm, judicious, and independent conduct you have lately manifested, not only to the American people, but to the world.

Be pleased, sir, to accept assurances of my high consideration and sincere personal regard, &c.

W. B. GILES.

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Boston, Nov. 15, 1808.

MY DEAR SIR, — Accept my best thanks for your friendly and obliging favors of the 7th and 8th, with the copy of the message. The regret which you are good enough to express at not meeting me in the Senate chamber is at once so kind and so flattering, that it will, I hope, furnish me an excuse for explaining fully to you why you did not meet me there.

I presume it unnecessary to mention to you that my immediate constituents, the legislature of Massachusetts, had already provided that I should meet nobody there after the present session. Had mine been an ordinary case, this circumstance would not have induced me to resign the remainder of the term. But, in the face of every former example, the election of a Senator was precipitated at the summer session of the legislature, instead of waiting for the usual time, which would have been in February next; and the point of unseating me was carried by such means as, I suppose, are common enough among electioneering partisans, but manifest a much higher estimate of the prize at stake than I have ever accustomed myself to bestow upon any thing in the shape of public office. It seemed as if the salvation of the country, or of what was substituted for the country, was thought to depend upon getting me out. But this was not all. The same legislature passed resolutions, in the nature of instructions to their Senators, which I utterly disapproved, and which, if I had retained my place, I should have held it my duty, not only to decline supporting, but to resist to the utmost of my power. Placed thus in the dilemma between the respect due to the

will so strongly manifested by my special constituents, and the still more imperious duty to my country, — under a sentence of official proscription by the former, and under the falsest and most odious imputations upon my motives, — my conduct during the session that was approaching would either not have been that of a free agent, or it would have been at the hazard of sacrifices, personal and domestic, which, upon full deliberation, I did not think the occasion required me to incur. As to holding my seat in the Senate of the United States, without exercising the most perfect freedom of agency, under the sole and exclusive control of my own sense of right, that was out of the question. But I was aware of the obligation upon a citizen charged with a public trust to remain at his post, unless duly relieved, and that these were times when the obligation pressed with peculiar force. This consideration induced me long to hesitate before I decided upon my resignation; and the idea which finally turned the balance in my mind was the perfect confidence I had in the firmness and wisdom of the Senate as I knew it would remain composed at the present session. I knew the vast majority of that body would neither betray nor surrender the essential rights of the nation. I saw no danger in that quarter which could need any interposition which it would be in my power, as an individual member, to present; and I could not flatter myself that I should be able to render any public service by my particular exertion which could compensate for that self-degradation to which I must have submitted in continuing to serve principals who had no confidence in their agent, and whose measures were as abhorrent to his sentiments as his conduct had been to theirs. It was a subject upon which I thought myself obligated to take no counsel but that of my own heart and understanding, and my resolution was taken with great reluctance; for I should have rejoiced in the opportunity to have manifested, to the last moment of my official life, my adherence to the principles upon which I had uniformly acted, and my zealous co-operation in the measures adopted by Congress, in harmony with the executive, to resist the outrages of both the great warring powers of Europe.

With regard to the public reproaches in pamphlets and newspapers with which I have been favored, and which, knowing as you do their falsehood, your friendly concern has led you to see with regret, I shall confess to you that, instead of seeing them (as perhaps a public man ought to do) with cool indifference, I have felt on this occasion a little of the spirit of martyrdom. Knowing that my governing motives have been pure, disinterested, and patriotic, I considered every calumny cast upon me as the tribute of profligate passions to honest principle. As the temper of a weapon can be ascertained only by a trial, I have been pleased to undergo that test, which no man of truly honorable purpose can escape. I have enjoyed all along that sort of support which is beyond the reach of human slander, — the support of my own conscious integrity; and I had the additional satisfaction of reflecting that there existed, even in the knowledge of others, particularly in yours, evidence that my public conduct had not been stimulated by any personal or selfish views. I had no doubt that, if any occasion should require it, you would not withhold that testimony which might be exclusively in your possession; but I have never seen any reason for believing that it would ever be necessary for my justification.

In relation to future time, whether my fellow-citizens in this Commonwealth will ever again think such services as I can render them worth calling for, is for their consideration, not for mine. Our usages do not authorize even those who are candidates for popular election to offer themselves; and, if they did, there is no station in their gift for which I should feel the slightest inclination to solicit their suffrages. Whatever of profit or of honor there may be in the piping times of peace in the public service, I know that, in the present situation and prospects of this country, public office of any kind would to me be an oppressive burden, — a post of little else than toil and danger; a thankless task, from which I could anticipate nothing better, and might rationally apprehend a catastrophe infinitely worse, than that which has befallen me. If, then, recovering from that delusion to which you refer, they should hereafter entertain a more favorable opinion of



my intentions and of my capacity to serve them faithfully, the manifestation of their wishes will always be in their power; and neither difficulty nor danger shall deter me from any service which they can demand, and which I can render.

Let me again apologize to you for saying so much of myself. As the circumstances of the last session led me, in the confidence which your character and situation had inspired, to unfold to you, in the most explicit manner, my personal views, or rather the absence of all personal views, in connection with my public conduct, I could not now resist the opportunity of opening to you, with equal frankness, the motives upon which I have acted to the close of my career. And I will only add, that, far from regretting any one of those acts for which I have suffered, I would do them over again, were they now to be done, at the hazard of ten times as much slander, unpopularity, and (if that were possible) displacement.

In the removal to a private station, however, under a government like ours, a man, though relieved from the burden of responsibility, cannot cease to feel a concern for the affairs of the public; and while the independence and union of the nation are at stake upon the perseverance and energy of those who administer its affairs, and of the people, no man with an American heart can stand by and behold the struggle with indifference. That we have gone thus far without being involved as parties in the war, and without the abandonment of one national right, is to me a subject of much consolation. But difficulties, obstacles, and dangers seem to multiply as we advance. The pressure of foreign injustice continues with increasing aggravation, and, combining with internal party-spirit, encroaches upon the resolution of the people, so as sometimes to make me doubtful whether they will continually prove true to themselves through the long and severe trial they have to go through. The result of the recent elections has, indeed, upon the whole, been highly to their credit, and promises a steadiness equal to my best expectations. The recent events in Europe (though I hope their ultimate consequences will be salutary) have, in their immediate effect,

been unpropitious to us, by encouraging the insolence and injustice of Great Britain, without correcting that of France; and, unfortunately, we have too many among us who (to say the least) are ready to let the rights of the country go, provided they can see their political opponents overwhelmed in the same ruin.

The President's message has presented a state of things not unexpected, though gloomy. We have seen of the documents only a short letter from General Armstrong, and the two latest papers between Mr. Pinkney and Mr. Canning. You will not flatter yourself that these documents will silence the tales of French influence and partiality to Napoleon. The more absurd this story grows, the more rooted will it become in the soil of faction; and, by the time it shall have been proved impossible, it will become an article of faith, to doubt of which would lead to the stake, if there were power to plant one.

I observe that your motion in the Senate contemplates a further continuance of the embargo laws, while that of Mr. Eppes in the House appears to prefer a substitute which would partially open our trade. Between a choice of great evils, I trust that candor and patriotic deliberation will finally discern which is the least. I can scarcely venture to entertain an opinion; though, if the non-intercourse could be carried into effect, I should incline to think it better than that internal stagnation which may send too much blood to the head. As change, it would in some sort disconcert opposition, by necessitating a change also in their batteries; but whether it would not increase the danger of war—the trap in which they still hope to catch the present administration—is for your better and wiser consideration. At all events, I conclude with the sentiment,—which, I know, will meet with the most cordial sympathy in your mind,—**ANY THING BUT SUBMISSION.**

I am, &c.

Hon. W. B. GILES.

You have now before you, my fellow-citizens, a full exposition of my conduct during my term of service as a member of

the Senate of the United States ; from which, I trust, you have seen, —

1. That I never deserted my former friends, nor even my party.

2. That I never denounced any party, or any individual, to Mr. Jefferson.

3. That, in the winter and spring of 1803-4, a project was formed, by certain leaders of the Federal party in New England, for a dissolution of the Union and the formation of a Northern confederacy.

4. That the first embargo letter of Mr. Timothy Pickering to Governor Sullivan was the continuance or reproduction of that same project, — the avowed purpose of it being to stimulate resistance against the laws of Congress by State authority, and a concert of commercial States in that resistance ; and Mr. Pickering having been one of the leaders earnestly engaged in the project of 1804.

5. That I never was converted to the Republican party, or professed, openly or privately, to have changed any one political opinion that I ever entertained.

6. That during the whole time of my service in the Senate of the United States, I supported or opposed the measures of Mr. Jefferson's administration, according as I thought them conducive to the honor and interest of the country or otherwise, without any regard to party whatever.

7. That in February, 1808, — six weeks after the embargo was laid, and as long before my interview with Mr. Jefferson, — I exposed to Mr. Josiah Quincy, at his own request, the motives of my conduct in the support which I was then giving to Mr. Jefferson's administration ; that I then expressed to him my profound conviction that the opposition to that administration, as it was then conducted, could, in the nature of things, lead to nothing but civil war and disunion, with the Atlantic States in subserviency to Great Britain.

And now, fellow-citizens, let me again invite your attention. Was the opinion which I thus expressed to Mr. Josiah Quincy correct, or was it not ?

If it was not correct, — standing before you, as I do, in

defence of my moral character, assailed by thirteen joint prosecutors in the name of the whole Federal party, past and present,—I might claim the privilege which justice always indulges to honest error: I might ask you, before the delivery of your verdict upon my motive, to inquire whether, although mistaken in my conclusions, and although the opposition to Mr. Jefferson's administration at that day did not necessarily lead to disunion or civil war, yet that a Senator of the United States, looking solely and exclusively to the welfare of his country, might—without impeachment of his honesty, or of that portion of understanding suited to the station which he occupied—come to those conclusions. I ask no such indulgence. I ask you to review the history of your country, and of that opposition, from the day on which I gave this opinion till that of the ratification of the Treaty of Ghent; and, if you say that my opinion then and thus expressed was erroneous, go to the appeal of my confederate correspondents, and ask them for my motives. Ask them, too, how some of them could live on terms even of private friendship with a man so unprincipled and base as they have represented me.

. . . . .

The very first sentences of the appeal present a statement of the question brought before you, of which the ambiguity is not less remarkable than the assurance. They declare that the appeal has been rendered necessary by "*charges exhibited by me.*" Charges? Against whom? this they do not say. But why is the appeal necessary? Because the citizens of every State in the Union have a deep interest in the reputation of *every other State.*

Admire with me, fellow-citizens, the ingenuity of the construction of this sentence. Thirteen citizens of Massachusetts sound a trumpet against me before the whole Union for having exhibited charges; and then constitute themselves official defenders of the reputation of the State. Were my charges against the State? Never.

In their letter to me they had assumed the character of champions for the whole Federal party; and, after quoting my charge against certain leaders of the party, had denied the

charge as if made against the whole party. In my answer to them, I detected and exposed this artifice. But now they are not satisfied with bearing the representative dignity of the party. They assume to speak for the whole State; they are the champions of the State of Massachusetts.

Now, the motive of all this is very apparent. If they had fairly stated to you the charges as they had been exhibited by me, they could not have presented themselves before you. They could not have answered the question, What is that to you? Nor could they have presented themselves to you as they had addressed themselves to me, — champions only of the Federal party. They could not then have answered the question from you, What is that to us? No: they must now make themselves the volunteer representatives of the State of Massachusetts; for then they may tell you that the representation of a State is interesting to the citizens of every other State in the Union, and then they may prosecute their appeal against me, without exposing themselves to be hissed off the stage.

Of the ability, or at least the astuteness, of these changes of position and of character, the composer of the appeal may possibly be proud; but, my fellow-citizens, are they fair? are they just? are they wise? In their address to me, they had not complained of my charges as affecting the State, but as injurious to the party. Now they complain of them, not as affecting themselves or the party, but as injurious to the reputation of the State. Driven from this ground, they might just as well declare themselves plenipotentiaries from the United States, and champions against my charges for the whole Union. One step more, and, like Anacharsis Clootz, they would be the orators of the human race.

In the next sentence they say, "It is well known that during the embargo and the succeeding restrictions on our commerce, and also during the late war with Great Britain, the State of Massachusetts was sometimes charged with entertaining designs dangerous, if not hostile, to the union of the States. This calumny . . . has hitherto attracted very little attention in the State."

Admire again with me, fellow-citizens, the address with which this statement is made to you. Here you are told that charges had been made, against the State of Massachusetts, of designs dangerous if not hostile to the Union; but that they were merely idle and groundless rumors, and had attracted hitherto very little attention in the State.

And now opens the battery against me. This idle, factious, malevolent, and groundless charge against the State of Massachusetts, which, until the 21st October, 1828, had attracted very little attention in the State, has totally changed its character since the publication authorized by me on that day in the "National Intelligencer." It is now no longer the anonymous slander of political partisans, "but a solemn and deliberate impeachment by the First Magistrate of the United States, and under the responsibility of his name. And this denunciation, though now for the first time made known to the public, &c., was contained in private letters of Mr. Adams written twenty years ago." That is, charges against the State of Massachusetts of designs, during the late war, were contained in letters of Mr. Adams written three or four years before the war was declared.

There is another change in this same sentence of the statement of the question, and another absurdity. Here they speak of the charges as being against, not the State, but the citizens of the State. This, indeed, may be considered as a mere variation of phrase; the citizens of the State including, of course, all the citizens of whom the State is composed. But, immediately afterward, you are told that, until the publication in the "National Intelligencer" of October last, these charges were not made known to the parties implicated, whoever they may be. So that these volunteer plenipotentiaries general, first of the whole Federal party in Massachusetts, then of the citizens of Massachusetts, come down, at last, to the plain admission, that they are the representatives of — they know not whom, — of the parties implicated, *whoever they may be*.

When I speak of the assurance remarkable in these introductory sentences of the appeal, I have reference to that

affirmation contained in it, that the charges of which they are speaking, though made by others before me, had attracted very little attention in the State. What think you, fellow-citizens, of such an assertion as that? You see the motive with which it is made. After constituting the State of Massachusetts, the State of my own and my father's nativity, plaintiff in the cause, — after presenting me in the odious light of a libeller upon her to whom all my affection and allegiance are due, and after inflating their imputations upon me by a disingenuous connection of them with the station which I then held as Chief Magistrate of the Union, — they have the audacity to tell you that the charges made by me in the "Intelligencer" of the 21st October, 1823, though made by others before, had till then attracted very little attention in the State; thereby representing me, not only as the calumniator of my native State, — not only as a secret denouncer of her, twenty years ago, for acts several years later in date, — but as abusing the office of President of the United States, by giving weight and solemnity to the groundless slanders of heated partisans not believed by those who had circulated them, and which had scarcely attracted the notice of those who had been implicated by them.

Remember, now, that the character in which these impeachers general first applied to me for names and evidence was as representatives of the Federal party in the States of Massachusetts and Maine; that the measures which they thought proper to put in issue with me were, and are, the measures of the Federal party in New England, in opposition to the administrations of Mr. Jefferson and Mr. Madison from the embargo of 1807 to the Hartford Convention of 1815; that their defence of these measures includes, as it necessarily must, a painful and laborious defence of the Hartford Convention; and that the first signer of the confederate appeal has acknowledged himself to have been the putative, though not the real, father of that convention.

The appeal next proceeds to assign the motives which the confederates are desirous you should believe actuated them

in their call upon me for names and evidence. I had admitted the right of each of them individually to call upon me to inquire if I had intended to include him in the charges for which I was responsible to the public, and I had offered to answer any such inquiries from any one of them individually. It is remarkable that no one of them has ventured to ask me the question. No: after addressing me as the representatives of a party, they address you as the representatives of a State,—equally without authority, in both cases. They say that men who feel a just respect for their own characters and for public esteem, and who have a corresponding sense of what is due to the reputation of others, will admit the right of all who might be supposed by the public to be included in Mr. Adams's denunciation, to call upon him to disperse the cloud with which he had enveloped their characters. Observe again, fellow-citizens, in this passage the evasion of the real question. The confederates did not call upon me to disperse the cloud in which I had enveloped their characters. That, I told them, I would do at their call. No: they called upon me for names other than their own, and for evidence which I had declared not provable in a court of law. The composer of the appeal had the sagacity to see that evidence which I had thus described must be such as I could not disclose without violating confidence; and that, without giving the evidence, I could not give names. He saw that, from my own statement, I should be obliged to decline giving both names and evidence; and that this would afford him opportunity for proclaiming to the world that I had no evidence to give, and for another flourishing panegyric upon the patriot pilgrims of the Hartford Convention. This is the true secret both of the confederate letter and of the appeal.

But it seems there was a previous question as to the mode how this denunciation was to be answered; and that, among other projects, it was proposed to make "a solemn public denial in the names of all those who came within the scope of Mr. Adams's accusation; including, as it does, all the leaders of the Federal party from the year 1803 to 1814." The only reason given for not taking that course is, that, although



it might have served in Massachusetts where the characters of the parties were known, it would not have answered for distant States and future times. Another question, it appears, never occurred to these thirteen citizens; namely, what right they had to make solemn denials in the name of all the Federal leaders from 1803 to 1814. The representative character had irresistible charms. They now solemnly declare that they never knew nor heard of the disunion project of 1804; and, giving entire credit to their declaration, read the letter to me of Mr. Plumer of Dec. 20, 1828, and the declaration of Mr. DeWitt Clinton in the Senate of New York, in January, 1809, and then say what would have been the value of solemn denials of these thirteen Federalists in the names of all the leaders of the party from 1803 to 1814.

Another thought occurred to the conclave, — that of calling a convention “of all who had been members of the Federal party in the legislature during those eleven years; and a respectable host they would be in numbers, intelligence, education, talents, and patriotism.” This is very true, and I sincerely regret that this measure was not adopted; for you would have seen a very different result from such a convocation than that of the confederate appeal. A majority of that assembly would have informed Mr. Otis that they were not disposed to appear as the putative fathers of his offspring, — that they were by no means inclined to canonize the Hartford Convention. Some would have asked him how he could undertake to make denials for the whole Federal party, with a solemn declaration that he had never so much as heard of the projected Northern confederacy of 1804. They themselves could have told him that there had been more things in heaven and earth than had been dreamt of in his philosophy. Many a Franklin Dexter would have been there, who would have said, “Why, as to thinking the embargo unconstitutional, we do not admit that as proof of a design to dissolve the Union; but the Hartford Convention and the pilgrims, — really, Mr. Otis, that is too much. Excuse us from giving you our names.” Many a Samuel Dexter, or true patriot like him, would have been there, who would have said, “Talk

not of your Hartford Convention to me. I left the party, because your driving of them was like the driving of Jehu; and because I saw from that Convention where you were driving." Numbers would have said, "Mr. Otis, we have followed you,—acting like yourself, fathering the children of others, and voting for what we disapproved,—till we have lost the confidence of our old constituents, till we have had retirement forced upon us, and our ghosts have been wandering in elysium till we have learned to love the shade. We have no objection to revisiting the light; but we really think that to attempt it by the Hartford Convention would be to pass through the ivory door. We pray you have us excused."

*"Altera candenti perfecta nitens elephanto  
Sed falsa ad cœlum mittunt in somnia manes."*

Assuredly, in such an assembly, Mr. Otis would have found himself in a small minority; and, although you will admire the delicacy of the motive assigned for discarding that Federal convention,—a scruple lest it might be imputed to the intention of overpowering me with numbers, and oppressing by popular clamor a falling chief,—you will readily perceive that other and more prudential considerations had great weight in conducting the deliberations of the confederacy, to the preference of another course, which appeared (to them) free from all objection.

"The undersigned—comprising so many of the Federal party that Mr. Adams should not be at liberty to treat them as unworthy of attention, and yet so few that he could not charge them with arraying a host against him—addressed him the above letter of Nov. 26."

*"Medio tutissimus ibis."*

You see, fellow-citizens, the precise number which Mr. Otis and his conclave, after deliberation, fixed upon as the golden mean: just enough to intimidate me, and yet not enough to enable me to charge them with arraying a host against me. Magnanimous adversary! Only thirteen to one!

And now, proceeding again to argue their right to call in

the name of the whole Federal party upon me, they say, "Their demand was founded on the common principle, recognized alike in the code of honor and of civil jurisprudence, that no man should make a charge affecting the rights or character of others, without giving them an opportunity of knowing the grounds on which it was made, and of disproving it if untrue."

The relation between the premises of these gentlemen and their conclusions reminds me of the celebrated syllogism in Plutarch: There are some degrees of fever in which cold water is good for a man; every man in a fever has it in some degree; therefore cold water is good for every man in a fever. A charge made upon others gives them a right to call upon him for his proof against others. This sophism is not the more respectable for being as old as the days of Marc Antony.

My countrymen, the thirteen gentlemen who have thought it not beneath them to club their wits and their weight to crush the character and reputation of *one falling chief*, — who have seized the moment of his fall to rob him of that which not enriches them, to deprive him of that which alone remained to him in his misfortune, to wrest from his children that best inheritance which they could receive, — the good name of their father, — are all persons of intelligence, as well as of power. They are men who, whether intent upon the Quixotism of defending others (as they profess), or upon the purpose — more obviously speaking from their acts — of ruining me, would not, if they had had better reasons to give, have passed off upon you such wretched sophistry as this. When they tell you, therefore (as they do) that one of their motives in calling upon me for that which they had no right to demand, and as delegates from those who had given them no authority, was, in the event of my declining compliance with their demand, to make you believe that I "had no evidence that would bear to be submitted to an impartial and intelligent community," you may safely believe them at their word. That, doubtless, was their motive; and I leave it for you to judge whether it was not the only motive of the composer of their appeal. I do not say or believe it of them

all. In this italicized passage of the appeal, he spoke from the heart. But, when he comes to show the right of the confederates to make their call upon me, you have seen how he reasons. You have had one sample of his logic; take another. In acknowledging the right of each individual to ask explanations for himself, I had suggested that it would have been more acceptable if they had been asked by each individual separately, rather than arrayed in solid phalanx. This very obvious suggestion stings to the quick the composer of the appeal. Hear his reply: "It is not easy to see why any one should lose this acknowledged right by uniting with others in the exercise of it; nor why this mere change of form should authorize Mr. Adams to disregard our claim." Not easy to see? You hurl the glove of controversy upon the field. Is your heart so faint that you cannot hurl it alone? Must you have twelve other gloves to hurl them with yours in defiance to one? To prove yourself a clean spirit, must your name be Legion? One to one is the law of chivalry: thirteen to one is a proportion of your own.

But you had two objections to approaching me alone. I might have tauntingly replied to each of you separately, that he was no leader. Here your own argument recoils upon you. Would each of you be one particle more of a leader by harnessing himself with twelve others, than if he had been in the traces alone? Would not Mr. Otis have been quite as much the reporter of the Hartford Convention to the Massachusetts legislature, if he had addressed me by himself as he was when he called twelve auxiliaries to his aid? He may be assured, I never would have contested his claim to the title of a Federal leader, however I might have classed him in the order of putative fathers to the offspring of others; nor should I have been in the least inclined to contest the title of a Federal leader to any one of the confederates who should have assumed it to vindicate his own character against erroneous suspicions.

You say the other objection is still more decisive. "After allowing to this denunciation all the weight which it can be supposed to derive from the personal or official character of

the accuser, we trust there are few citizens of Massachusetts who would be content to owe their political reputation to his estimation of it, and condescend to solicit his certificate to acquit them of the suspicion of treasonable practices."

Prodigiously smart and severe. But, in the name of consistency, was that a reason for doing without authority for others that which you feared or disdained to do for yourselves? Are there, indeed, few citizens of Massachusetts who set any value on my estimation of their political reputation, or would condescend to solicit a certificate of loyalty from me? Why, then, did you demand it for any one? Numbers gave you no credentials which no one of you individually possessed. You say few citizens of Massachusetts set any value on my estimation of their characters. Who gave you the right to measure the value which the citizens of Massachusetts set upon my good opinion? Within ten days after your letter to me was signed, fifteen citizens of Massachusetts, chosen by more than twice as many thousands, speaking the voice of at least nine-tenths of the people of the State, and performing one of the highest trusts ever given to a citizen, — that of giving the suffrages of the people for the office of Chief Magistrate of the Union, — did, before the face of their country, and under all the responsibilities of their characters, unanimously give that suffrage for me, as a similar body had done four years before. I say it, God knows, not exultingly, but under feelings of deep and indelible gratitude to the people of my native State. And are you now to come and tell the people of the whole Union that few citizens set any value upon my estimate of their political integrity and loyalty? Do you believe it yourselves? Does Benjamin Pickman, does Thomas H. Perkins, believe that few citizens of Massachusetts set any value upon my good opinion? Does he dread or despise it himself? No, no: we angry lovers mean not half we say. Neither of them believes that my honesty or my judgment stands so very low in the estimate of the people of Massachusetts, or even in his own. But I can readily perceive why the composer of the appeal should flinch from calling upon me single-handed for my estimate of the Hartford Convention.

Few citizens of Massachusetts *needed* any testimonial of my good opinion, or any certificate of political integrity from me. I had said nothing which could authorize suspicion against any one individual. Mr. Jefferson himself had declared that I had mentioned no names. I had, by no allusion, pointed at any individual; and my letters written in 1808 and 1809 could have no possible reference to the Hartford Convention, held in 1814 and 1815. But, when my letters were written, Mr. Otis was president of the Senate of Massachusetts; John Henry was about the same time upon his mission at Boston. Proposals for a convention in Connecticut were made at that session of the Massachusetts legislature; and John Henry claimed compensation from the British government for the acts of the Massachusetts legislature at that same session. Henry's mission had, indeed, at that time attracted very little attention in the State. His correspondence was not made known till 1812, nearly four years after my letters were written. His letters unfolded, indeed, very fully what were the views of certain leaders of the Federal party with whom he professed to be, and evidently was, on terms of confidential intimacy. Their views were evidently communicated to him; and his statements of them coincide most exactly with those of my letters written just before his arrival in Boston. Who his confidential intimates were does not appear; they have never thought proper to disclose themselves; if they had, Mr. Otis would have been at no loss for the names of Federal leaders who, at that time, were prepared, in the event of a war, for a dissolution of the Union. Henry fixes the precise time in their contemplated operations when he had determined to open, in his official capacity, a communication between them and the Governor-General of the British Provinces at Quebec.

All this had, no doubt, a tendency to draw down some suspicions upon the intentions and purposes of Mr. Otis; and when, afterwards, in 1812 and 1814, he was found actively urging that same measure of a New England convention in Connecticut; when, in 1812, it was openly preached from the holy temple of Almighty God in Boston that the object of

that convention was to cut the connection of the Union ; and when, in 1814, the general expectation and belief prevailed that such was the object for which the Hartford Convention was convened, — it is easy to discover reasons why Mr. Otis, knowing what I had written about the time of Henry's mission to Boston, should not consent to owe his political reputation to my estimation of it, or condescend to solicit my certificate to the pilgrim patriotism of the Hartford Convention.

It would be wasting your time and wearying your patience, fellow-citizens, to pursue through all their mazes the pages of this appeal. It is throughout such as the specimen which I have now exposed to your view : a sophism pointed by a sarcasm, or a fallacy baited with a sneer, characterize every sentence of the composition. To hold me up to your view as a deserter and denouncer of my friends, and a libeller of virtuous patriots, is the perpetual agony with which it labors ; and, in the portraiture which it presents of me, may be illustrated what Plutarch says was observed by the Roman people when they saw the head of their orator planted upon the rostrum : they beheld in it rather the soul of Antony than the face of Cicero.

There is, however, a dissertation upon the joint stock of reputation between parties and their leaders, which is well deserving of your notice, and upon which I now proceed freely to remark. The charge of my publication in the "National Intelligencer," referring to the projected Northern confederacy of 1804, was confined to certain leaders of the Federal party. In their letter to me, the confederates called upon me for the names of these leaders, and all the evidence that I possessed against them ; and then denied that the Federal or any other party had, to their knowledge, formed any such project. This was a county-court expedient to vouch in the whole Federal party as the John Doë and Richard Roe of their writ. The object of the composer was to engage the whole Federal party in interest and in passion against me, by foisting them in as parties to the suit, which in reality was exclusively his own. In my answer, I noticed this departure in their

pleading, not as a technical objection, but as a disingenuous attempt to strengthen their own cause by enlisting the prejudices and the resentments of the whole party against me, by involving them in an accusation which, in fact, embraced only two or three persons. In reply to this, the composer of the appeal has given you a definition and theory of party leaders, so eminently characteristic that, although signed by thirteen names, there is but one mind among them from which it could have proceeded. He says, "From the nature of representative government it results that, in conducting the business of their legislative and popular assemblies, some individuals will be found to take a more active and conspicuous part than the rest, and will be regarded as essentially influencing public opinion, whilst they are generally themselves merely impelled by its force." Then follows an argument that there must be a succession of such persons, and that their measures and political objects must be identified with those of their whole party. To deny this is said to be to pronounce sentence of condemnation upon popular government. Indeed! Oh! a monarchist! For, otherwise, the party must be the dupes of their perfidious leaders. And now for the sting: "It is not conceivable that the Federal party, which at that time constituted the great majority of Massachusetts, will feel themselves indebted to the President of the United States for a compliment to their loyalty at the expense of their character for intelligence and independence."

And so it is in the above sense only that a free people can recognize any individuals as leaders. . . . Why, then, did Mr. Henry Cabot and Mr. C. C. Parsons sign your letter and appeal in behalf of their respective fathers? Neither of those citizens was, I believe, from 1803 to 1814, either a member of the legislature of Massachusetts or a frequenter of popular assemblies. Why, then, have their sons felt that any imputation upon party leaders could possibly be applied to them? If they were excluded from the class of individuals whom a free people could recognize as party leaders, how happened it that Mr. Cabot, not a member of the legislature, and



taking no part in popular assemblies, was first delegate from Massachusetts, and then President of the Hartford Convention? Mr. Parsons, at the time of the projected Northern confederacy of 1804, was a practising lawyer in Boston; in 1808 and 1809, when my letters were written, he was Chief Justice of Massachusetts. That he was then a most active and too efficient party leader, I knew and deeply lamented; and I wrote to Mr. Bacon that, on the question of the embargo, there was, in Massachusetts, a judiciary of which he must think what I could not say. It was with a repugnance I could not express that I saw a desperate party leader in the Chief Justice of the Commonwealth. It was from him alone that the pretence of the unconstitutionality of the embargo derived any countenance: even Mr. Pickering had not ventured to start that idea. It was the stimulus to the people of forcible resistance against it. It was a gigantic stride, towards a dissolution of the Union. Mr. Parsons not only broached the opinion, but very extra-judicially made no secret of it upon the exchange and at insurance offices. Even the veneration entertained by the district judge for his personal fame as a lawyer was not exempted from the operation of its influence. Mr. Dexter argued against the constitutionality of the embargo, as a lawyer for his clients. That, in seeking arguments for others, he may have convinced himself, is not improbable: it happens not unfrequently to lawyers of the highest ability and of the purest integrity. But there is one very decisive proof that Mr. Dexter had no confidence in this argument against the constitutionality of the embargo. The district judge to whom he addressed it, and who decided against him, was a Federalist. Four of the six judges of the Supreme Court of the United States — Marshall, Cushing, Chase, and Washington — were Federalists. Yet Mr. Dexter acquiesced in the decision of the district judge, and did not advise any of his clients to carry the question even to the Circuit Court for revision. He was fully assured that it would be wasting the money, and imposing upon the expectations, of his clients to advise them to go to the Supreme Court for a decision; nor was the question ever

made before them. Mr. Parsons did not wait for the question to come before him on the bench to declare his opinion against it. Mr. Parsons, in causes between man and man, was an upright and able judge. His opinions upon political law have been as unpropitious to the Union as they have been of pernicious consequence to the State of Massachusetts. I feel myself the more authorized to say so, because the legislative and executive authority of the State have solemnly disavowed his opinion with regard to the right of the general government to call out the militia in time of war, and because his own son, in subscribing the letter and appeal of the confederates, has released me from any obligation of delicacy which might have withheld me from pointing him out as a party leader. As Mr. C. C. Parsons recognizes him in that capacity, I am warranted in acknowledging the justice of that recognition. Upon the influence exercised over the measures of the Federal party in Massachusetts by Mr. Parsons and Mr. Cabot, as well as by Mr. Pickering, from 1803 to 1815, it is quite unnecessary to enlarge. None of the confederates will deny it. Yet they are excluded altogether from their list of leaders whom alone, according to them, a free people can recognize. That list, indeed, includes only one class of party leaders, and that by no means the class the most efficient, — the class that take their own lead from others, employed by them for some shallow faculty of popular eloquence or address, put forward to answer their purposes and father their offspring; made to strut their little hour upon the stage, to seem to lead while in leading-strings themselves, and left to bear the whole obloquy of unsuccessful and odious measures when their failure is fully ascertained.

There is another class of persons often far more effective as party leaders than these: not members of the legislature; seldom or never appearing at popular assemblies; but who by their personal influence, by their correspondence, by essays in the public journals, reviews, and magazines, by pamphlets and sermons, and by their connections with banks, insurance offices, colleges, and literary institutions, exercise a power far greater upon the movements of parties than the mere ephem-

eral orators who, you are told, are exclusively recognized as party leaders. One of the peculiar, and one of the worst, features of the party history of that time, was that the judges of the Supreme Court of Massachusetts were made party leaders by the call of the legislature upon them for their opinions upon the constitutionality of the measures of the general government for calling out the militia. It constituted the most formidable organization of resistance against the laws of the Union that could be devised. Yet these are persons whom my confederate correspondents refuse to recognize as party leaders. What think they of Mr. Jefferson from the time when he resigned his office of Secretary of State, in 1793, till his election as Vice-President, in 1797? What think they of General Hamilton from the time when he resigned his office of Secretary, in 1795, till his death, in 1804? To consider the transient members of State legislatures, and the strewers of popular blossoms of eloquence in Faneuil Hall, as the only leaders of parties in New England for the last twenty-five years, is to betray great contractedness of observation,—great shallowness of sagacity.

I must apologize to my confederate correspondents, or rather to the composer of their appeal, for the liberty that I took, in answering their letter, to say that, in giving that answer, I had perhaps waived the proprieties of my then situation. I assure him that my doubt did not arise from any undue comparative estimate of his dignity, personal or official, with mine; but from a question whether the style of his letter had not abdicated the right to any answer. In one passage of the letter, the writer had assumed towards me the attitude of a preceptor, by undertaking to teach me a lesson of self-respect. Deeming this an unsuitable position for an educated, full-grown person to assume towards another, my doubt was whether my sense of it would not be best signified by silence. The impropriety of the assumption was certainly increased by the consideration, that the person addressed was the Chief Magistrate of the Union, whose *duty* it might be to leave unanswered a disrespectful letter. My friendship for some of the signers of the letter, and my belief that no insult-

ing assumption was intended by them, induced me to waive the scruple of their right to an answer, and merely to intimate to them my unwillingness that the correspondence between us should be any farther pursued. I have already noticed the argument against fact of the confederate appeal that, at my interview with Mr. Jefferson, on the 15th of March, 1808, I had denounced my former friends. To prove that I had, the composer of the appeal has assembled together a number of circumstances (as he calls them) tending to embitter my feelings and to warp my judgment. He says that, before this interview, I had voted for the embargo; which is true. I had also pledged myself, on the preceding 16th of July, to support the government of the United States in such measures as they might adopt at that crisis to obtain satisfaction for the outrage on the "Chesapeake." Mr. Otis had done the same. I had not forgotten my pledge. I thought that attack might be felt as an injury even by men of placable temper. So I thought the orders in council of November, the impressment proclamation, the insulting correspondence of Mr. Canning, and the lullabies of Mr. Rose's mission. But it is not true that I had been reproached for having done this on the avowed principle of voting and not deliberating upon the Executive recommendation. That unfounded reproach was not made till some months afterwards. I had not been engaged in a controversy with my colleague on this subject. I did not know of Mr. Pickering's first embargo letter's existence till the day after this interview. The legislature of Massachusetts had not elected another person to succeed me in the Senate of the United States; nor had they expressed any disapprobation of the measures which I had supported. It was the next legislature who did that.

Let us turn to something more important than his motives or mine. The confederate appellants, in all the emphasis of *Italic letters*, "solemnly disavow all knowledge of such a project as that of the Northern confederacy of 1804; and all remembrance of the mention of it, or of any plan analogous to it, at that or any subsequent period."

Now, to a declaration thus solemn, thus absolute, thus unqualified, what shall I say? If I yield to it implicit belief, the question is irresistible: And do you, gentlemen, undertake to make denials and challenge testimony and names for the whole Federal party in New England from 1803 to 1815? Not know of such a project, nor remember any mention of it or of any plan analogous to it? The project was in its nature secret; but it was known to persons far otherwise leaders of the Federal party than the composer of your appeal. So secret was it, that, although during that session of Congress I was sitting at the side of Mr. Plumer in the Senate of the United States, and contracted with him an intimate friendship which continues to this day, yet I never knew that he had been made acquainted with the project at the time, far less that he had favored it, until after the note of preparation sounded last autumn, in the Boston newspapers, preliminary to the summons of the confederates addressed to me. When, therefore, I wrote in 1808 and 1809, and when I repeated in the "National Intelligencer" of October 21, 1828, that the evidence which I possessed of that project, though perfectly satisfactory to my own mind, was yet not such as I could produce in a court of law, I did not know that Mr. Plumer could testify to it at all, far less that he had been engaged in it himself. And when the writer of the appeal took advantage of my own admission to call for names and evidence which he knew I must decline to give, in order to build upon my denial the charge against me, that I had no evidence that would bear to be submitted to an intelligent and impartial community, I knew as little as he did that Mr. Plumer was a witness of the fact, not only admissible in a court of law, but whose testimony, so far as it refers to facts within his own knowledge, it is not in the power of man to shake. His testimony is totally independent of mine, and of any that I could have produced in October, 1828; and he assures you that the project was entertained by several of the members of Congress, in both Houses, from New England, in 1803 and 1804. I have now told you that, on the 8th April, 1804, I was informed by Mr. Rufus King that both he and Gen-

eral Hamilton had, on that day, been urged to take part in it; but it was not on that day first made known to them. There had been correspondence concerning it between Connecticut, New Hampshire, New York, Boston, and Washington City; and Mr. Timothy Pickering had been one of the correspondents. There were several other persons, distinguished leaders of the Federal party in Boston, in Connecticut, and in New Hampshire; and secret as it was, and as in the very nature of the thing it must be, it was yet known to so many of the most eminent leaders of the Federal party that I hope my confederate correspondents will not think me uncivil in saying, with reference to that period, —

“Not to know that argues yourselves unknown.”

It will be recollected now that this project of disunion and a Northern confederacy, in 1804, was the only thing of which, in my letters of 1808 and 1809, I said that I possessed evidence satisfactory to my own mind, though not provable in a court of law. Every other circumstance urged by me in 1808-9 referred to the then existing state of things, — to the threatened forcible resistance to the embargo; to the movements in the legislature; to the disposition of the State judiciary; to the temper of the officers of the militia and of juries. The existence of the project of 1804, and the determination not to abandon it in 1805, are now fully established. I have shown, by a review of public events from that time until the embargo, why it was left during that period to slumber. The embargo was the first public measure, after the acquisition of Louisiana, which was susceptible of being made the instrument of bringing the general and the State governments into a collision of physical force with each other. The stimulus to this was given first by Mr. Pickering's embargo letter, unequivocally provoking resistance by authority of the legislature of Massachusetts and a concert of the commercial States. In this paper are distinctly presented the elements of a dissolution of the Union, and of the formation of a new confederacy. Let any man, at this day, read that letter, and take in connection with it the state of public affairs

at that time, and I think he would need no other evidence that the project of 1804 had not been abandoned. To those, indeed, who never knew the existence of the project of 1804, the object of the embargo letter is not so obvious. But if the composer of the appeal, who moved in the Senate of Massachusetts that the Governor should be requested to transmit that letter to the legislature, — if he would now present to you, fellow-citizens, such a perpetual commentary upon it as he has more than once done upon the proceedings of the Hartford Convention, which was its very natural if not legitimate offspring; if he would examine its statements of fact and doctrine, its stimulants to resistance to the embargo, its suaves of submission to every outrage of Great Britain, its justifications of the rule of the war of 1756, of the orders in council of November, 1807, of impressments, and its call upon the commercial States to *interpose*, — and then would show what object the writer of such a letter could have in writing it, and sending it to the Governor of the State, for communication to the legislature, but to provoke disunion and a new confederacy, — he would render an acceptable service to his country. He, indeed (as he solemnly assures you), when he moved the call for this letter, knew nothing, and never had heard any thing, of the disunion project of 1804; but Mr. Pickering had, and so had his correspondent by whom the letter was published. If the composer of the appeal will now re-examine the embargo letter, with the benefit of this new light thrown upon it, he will soon discover that the connection between the project of 1804 and the resistance to the embargo, and the opinion of the judges of Massachusetts on the militia case, and the Hartford Convention, is not so violent and disingenuous as he had imagined.

That the project was in both cases substantially the same, I now refer you to the testimony contemporaneous with mine.

The first is De Witt Clinton, in a speech to the Senate of New York, of which he was a member, on the 31st January 1809. He said, —

“ It is, perhaps, known but to a few that the project of a

dismemberment of this country is not a novel plan, growing out of the recent measures of government, as has been pretended. It has been cherished by a number of individuals for a series of years; and, a few months before the death of a distinguished citizen, whose decease so deeply excited the public sensibility, it was proposed to him to enlist his great talents in the promotion of this most nefarious scheme, and (to his honor be it spoken) it was rejected by him with abhorrence and disdain."

The facts here stated correspond precisely with the information given me by Mr. Rufus King on the 8th April, 1804, — with the exception of the degree of vehemence with which the proposal was rejected. Whence Mr. Clinton derived his information, I know not; certainly, not from me. His testimony is equally distinct from mine and from that of Mr. Plumer.

The other contemporaneous witness is John Henry, who, within about a month after this speech of Mr. Clinton, was at Boston upon his mission. He states the objects and purposes then intended by certain leaders of the Federal party then in New England, extracts of which have been already given. Henry's communications were made public only three years afterwards. When the situation of Mr. Otis at that time is considered, — president of the Senate of Massachusetts, and a very active promoter of the acts of the legislature, — it appears very extraordinary that, notwithstanding this speech of Mr. Clinton, which was published at the time, he should have been entirely unconscious of two of the great impulses by which he was moved, — the disunion project of 1804, and John Henry, the agent of the Governor-General of British America. Still, unjust and ungenerous as he has been to me, in an elaborate argument to prove against me that which I had most explicitly denied, let me not follow that example: let him have the benefit of his most solemn denial. I acquit him of a deliberate and determined design to dissolve the Union. He was impelled by the force of public opinion; and would, to the end, have drifted along with it as it might ebb or flow.



In ushering in, however, his new elaborate attempt at justifying the Hartford Convention and its proceedings, his sketch of preceding events cannot pass without animadversion. The Hartford Convention is to Mr. Otis what the destruction of Carthage was to Cato the Censor. Whatever subject brings him before the public, his exhibition always ends in a defence of the Hartford Convention. This assembly was not mentioned at all in the publication which I had authorized in the "National Intelligencer;" nor had it the most distant intentional allusion to him. That paper, on the contrary, explicitly disclaimed, on my part, any knowledge of transactions during the war, other than such as were public; and, by referring to the date of my interview with Mr. Jefferson, proved that I could have given him no information of events subsequent to that time. Mr. Pickering's embargo letter had not then even reached Washington, nor did I know of its existence; but Mr. Jefferson's statement represented me as having given him information "that certain citizens of the Eastern States (I think he named Massachusetts particularly) were in negotiation with the agents of the British government, the object of which was an agreement that the New England States should take no further part in the war then going on; that, without formally declaring their separation from the Union of the States, they should withdraw from all aid and obedience to them; that their navigation and commerce should be free from restraint or interruption from the British; that they should be considered and treated by them as *neutrals*, and as such might conduct themselves toward both parties, and, *at the close of the war*, be at liberty to rejoin this confederacy." Now, that in my utter disclaimer of all this, and that in my protestation that I never did give to Mr. Jefferson any such information, Mr. Otis should have thought proper to perceive an attack upon him and the Hartford Convention, was not in my imagination. I stood before the public with the venerable name of Mr. Jefferson giving sanction to this statement, and with the wilful misrepresentations of Mr. Giles, Governor of Virginia, and of John Randolph before the Senate of the United States, imputing to me

the worst of motives for having made the communication. Giles, after betraying and falsifying his own confidence in me, and my confidence in him twenty years before, betrayed Mr. Jefferson's confidence, by secretly communicating this erroneous statement (and which he knew to be erroneous) to John Randolph, who disgorged it, with commentaries, in his own style, before the Senate of the United States; and, in this magnanimous process, Mr. Giles, after waiting till Mr. Jefferson's death, had capped the climax of his patriotism by suppressing Mr. Jefferson's letter intended for the public, and by publishing that which was confidential. The result of this unhallowed combination was, that I appeared in the face of the nation charged as an informer of treason, during the war, to Mr. Jefferson, against citizens of my native State; and, as was represented by Giles and Randolph, of my own friends and party, whom they pretended I had deserted and denounced, for mere purposes of my own personal aggrandizement. Giles and Randolph had given to themselves free license in these slanders, under the shelter of my situation and my contempt. Had these calumnies, base and infamous as they represented me, rested only upon their authority, I should never have thought them worthy of my notice. The President of the United States, by the very nature of his position, is debarred from the privileges of self-defence against the vulgar assassins of reputation; and to that class both those men had degraded themselves, by infamy from which no popular favor and no official dignity could redeem them,—Giles, by treachery to confidence and falsehood; Randolph, by transferring to the Senate of the United States the eloquence of Hogarth's Gin Lane and Beer Alley.

*"Pallor sedet in ore; macies est in corpore toto;  
Pectora felle virent; lingua est suffusa veneno."*

But that which from Giles and Randolph might have been suffered to pass in silence to that oblivion

*"To which Time bears them on his rapid wing,"*

could no longer be so treated when indurated to longer life in the living waters of Mr. Jefferson's fame. His statement

gave countenance and coloring to their groundless imputations.

From Mr. Otis, and from his confederates, I had a right to expect more regard, at least for truth and candor, than from Mr. Giles and Mr. Randolph. I had a right to expect that the admonitions to themselves of that self-respect of which they were so liberal in their lessons to me would have taught them to forego the poor gratification of insisting upon their inferences dishonorable to me, — from statements of facts which I had not only proved to be unfounded, but shown, by a mere reference to dates, to be impossible. But so it was. In vain had I shown that, my interview with Mr. Jefferson having been on the 15th of March, 1808, it was impossible that I should then have given him the information upon which he consented to substitute the non-intercourse for the embargo, — which happened a year afterwards, at an ensuing session of Congress, when I was not even a member of that body. In vain did I show an impossibility still more glaring, — that, in March, 1808, I should have denounced citizens of Massachusetts for negotiations with British agents during the war. The composer of the appeal, in the blindness of his passion, listening neither to explanations nor to dates, will credit the impossibilities of Mr. Jefferson and the fictions of Mr. Giles; and, dreading the effect of these demonstrated anachronisms upon you, he adds a number more of his own. He tells you that, before this interview with Mr. Jefferson, I had been reproached for voting without deliberating; that I had been engaged in controversy with my colleague; that the legislature of Massachusetts had elected another Senator in my place; and that I had been compelled, by their disapprobation of my conduct, to resign my seat in the Senate. Nothing of all this had happened; yet the composer of the appeal affirms that it had, because, in his eagerness to pronounce a panegyric upon the Hartford Convention, he will not believe my denial that I had charged its members with treasonable negotiations during the war, at an interview with Mr. Jefferson in March, 1808.

To the Hartford Convention, therefore, we must come;

but, before entering upon the discussion, I pray you, fellow-citizens, to observe that it has been forced upon me. That I was under the most indispensable obligations, both to my own character and to that of the citizens of my native State, to make the publication denying the statement made by Mr. Jefferson, no one who considers the situation in which I was placed by it will deny: least of all can it be denied by the composer of the appeal, or his associates, who, without the pretence of an imputation personal to any one of themselves, challenge me before the nation as a calumniator because, in referring in 1808 to a project for dissolving the Union in 1804, I *might* have intended to include them, or some of their friends, in the charge. I was named by Mr. Jefferson, and with great solemnity of manner, though with the acknowledgment of a total failure of his memory with regard to the details; was averred by him to have denounced citizens of my native State for treasonable negotiations with British agents during the war; and Mr. Jefferson said that I had thus denounced them as of my own certain knowledge. Mr. Giles, Governor of Virginia, and Mr. John Randolph, Senator of the United States, by a secret concert between themselves, had used this utterly erroneous statement of Mr. Jefferson while he lived, but without publishing his letter so that I could know the source from which it came, to charge me before the Senate, and before the nation, as a false informer of treasonable practices by my own friends, from whom they pretended I had apostatized. To give color to this part of the calumny, Giles, without the shadow of a foundation, had affirmed that I had made him the confidant of my conversion, and sought his agency to mediate my reconciliation with Mr. Jefferson. Thus the letter of Mr. Jefferson was used — used in the Senate of the United States — to fasten upon me the most infamous of perfidies; but, while thus used, carefully withheld from publication, — lest I should have the opportunity, by one word of explanation asked of Mr. Jefferson himself, to show that the whole story was but the baseless fabric of a vision. And, to finish the picture of this honorable conspiracy, Mr. Giles, after the death of Mr. Jefferson, pub-

lished a confidential letter from Mr. Jefferson to him, full of ardent passion and prejudice against my first annual message to Congress; and suppressed the letter intended for the public, which bore testimony to the integrity and purity of my character.

Such was my situation before the public when, with the consent of Mr. Jefferson's executor, and with motives entirely friendly to me, Judge Stewart, about the 15th of October, 1828, published this letter of Mr. Jefferson to Mr. Giles. It was perfectly satisfactory so far as regarded Mr. Jefferson's opinions of my integrity; but its statements of facts, utterly unfounded, gave color to the concerted slanders of Mr. Giles and Mr. Randolph. It was impossible I should stand under this load of obloquy, which this combination of wilful malice and unintentional error brought down upon my name, at a moment when all the slanderous tongues and pens in the Union had joined in one chorus of falsehood and misrepresentation upon every transaction of my life, to defeat my re-election, and to brand me with infamy before the face of my country, and in the eyes of posterity. The fate of the election was decided. I had endured, without complaint and without reply, all the privileged and all the venal slanders which the halls of Congress and the prostituted presses throughout the Union could gather or invent and put forth. I had paid the penalty of my station; but I did not feel myself called to submit to this ministration of the errors of Mr. Jefferson, — to the impostures of Mr. Giles. I knew Mr. Jefferson's letters were not designed. Some friend of his had, indeed, at the time of his letters, hinted to him the purposes for which Mr. Giles was drawing him into these communications against me, and leading him into these mistakes of memory to injure me; but he was not aware how far that worthy had succeeded, and the idea of the publication of his confidential, and the suppression of his public, letter had not occurred to him. His friend had understood the character of Mr. Giles better than he did; and he thought he had written nothing which could be perverted to slander against me. I saw that, in his narrative of my interview with him on the 15th of

March, 1808, he had forgotten the only communication that I did then make to him, and that the anachronism of his memory had transferred back to that period information derived indeed from me, but through the medium of common friends in letters written by me to them, and by them communicated to him without my knowledge or intention. And that this was not all; but that he had also transferred back to the period of my interview with him, and to information derived from me, his knowledge of facts acquired, in 1812, from the correspondence of John Henry, and even of projects contemplated about the time of the Hartford Convention, and for which there was, perhaps, no other authority than pamphlets and newspapers of the time. Mr. Jefferson had never received from me, either directly or indirectly, in personal interview or by letter, with or without my knowledge, the information that any citizens of Massachusetts were negotiating with British agents. But he had received information in March, 1808, that the Governor of Nova Scotia was attempting to negotiate with the adversaries of Mr. Jefferson's administration in New England: and, in December, 1808, he had received information indirectly from me, though not with my knowledge, that there were persons among those who then presided over the Federal party in New England, who, ever since the year 1804, had projected the dismemberment of the Union, and the formation of a new confederacy; that all their movements were tending to that object; and that, in the event of forcible resistance to the embargo, sanctioned by the legislature and the judiciary of the State, there would be a convention of New England States in Connecticut, and the leaders of the party must and would secure the co-operation of Great Britain. Now, nothing of all this could refer to the Hartford Convention, which met six years after my letters were written. But, if every word of the information contained in my letters of December, 1808, was correct, then the mission of John Henry (which took place at that period) was the strongest possible confirmation of my statements. His correspondence is the most illustrative comment upon mine. Had I seen his commission, and been present at his

confidential interviews with those who gave him his information, I could scarcely have said more; and, then, the Hartford Convention was the natural catastrophe of the state of things as I had described it in 1808, — the euthanasia of the projected New England confederacy of 1804. It was the exact coincidence of the information which I had given to Mr. Jefferson in March, 1808, personally, and which my friends had given him by communicating to him my letters in November and December, 1808, with all the events which afterwards took place till the Hartford Convention, which not only proved to him that the information received from me was all perfectly correct, but blended itself with it in his memory so entirely, that, after a lapse of nearly eighteen years since our interview, he imagined he had received it all at that time from me. After the letter of the Governor of Nova Scotia, what could be more natural than the mission of John Henry? What more perfect confirmation of my statement that, in the event of a civil war produced by forcible resistance to the embargo, the leaders would secure the co-operation of Great Britain, than his report to the Governor-General, that, in the event of a New England convention, he had ascertained the precise time for opening a communication between them and the Governor-General; and that would be when they should declare the acts of Congress invalid. And, finally, what more conclusive demonstration of the accuracy of my views with regard to the then measures of the legislature than that, for the adoption of those very acts, Henry claimed compensation from the British government in consideration of their adaptation to their purposes.

You will bear in mind, fellow-citizens, that, although Mr. Otis was in 1808-9 President of the Senate of Massachusetts, and although he was in 1814 the putative father of the Hartford Convention, I do not, and never did, charge him — far less any of the co-signers of his letter to me, and of his appeal to you — with having even known of the projected Northern confederacy of 1804, or with having been the confidential informer of John Henry, or with having known that that individual was an emissary from the Governor-General

at Quebec. I have heard that Henry was in habits of social intimacy with him, but do not affirm this. The alternative is that the composer of the appeal was at sea in a heavy gale without his compass, and very busy at the helm, without knowing either where he was bound, or that he was in a gulf-stream bearing him upon breakers of which he had never heard. But I take it for granted he will not again tell you, that, of the projected confederacy of 1804, I had no evidence that would bear to be submitted to an impartial and intelligent community. Nor will he tell you that some of the identical persons who were parties to that project were not also active promoters of the measures in the Massachusetts legislature which he so essentially contributed to carry, and which Henry thought so meritorious to the purposes of the British government. Nor will he tell you that the President of the Hartford Convention himself was not well acquainted with the project of 1804. The Hartford Convention was the omega of that of which the projected confederacy of 1804 was the alpha; and, however earnestly Mr. Otis was engaged in tracing the last letter of this alphabet, he may have been as ignorant of its real import as he was of the existence of the first.

That John Henry was in relations intimately confidential with leaders of the Federal party at Boston is certain. He was expressly instructed by Sir James H. Craig to contrive to obtain such intimacy, and was furnished with a credential letter, to be used only in the event that a desire to that effect should be expressed, and that his producing his credential should lead to a more confidential communication than he could otherwise look for. He did not produce his credential; nor does it appear that he disclosed to any person the purpose of his visit to Boston. But that he was in very confidential communication with leaders of the party prevailing in the legislature, is apparent, not only from the report which he makes of their acts and intentions, but from the very reasons which he assigns for not disclosing his official character. On the 5th March, 1809, he writes to the Governor-General, —

“It does not yet appear necessary that I should discover



to any person the purpose of my visit to Boston; nor is it probable that I shall be compelled, for the sake of gaining more knowledge of the arrangements of the Federal party in these States, to avow myself as a regular authorized agent of the British government, even to those individuals who would feel equally bound with myself to preserve, with the utmost inscrutability, so important a secret from the public eye." There were individuals, then, who, if he had revealed his purpose and his character, would have felt equally bound with himself to keep the secret; and they were the individuals qualified to act on behalf of the Northern States whose designs he had ascertained, and between whom and the Governor-General of Quebec, he should, when they were prepared for it, open a correspondence. On the 7th March, 1809, he writes:—

"In all I have written, I have been careful not to make any impression analogous to the enthusiastic confidence entertained by the opposition, nor to the hopes and expectations that animate the friends of an alliance between the Northern States and Great Britain. I have abstracted myself from all the sympathies these are calculated to inspire; because, notwithstanding that I feel the utmost confidence in the integrity of intentions of the leading characters in this political drama, I cannot forget that they derive power from a giddy, inconstant multitude; who, unless in the instance under consideration they form an exception to all general rule and experience, will act inconsistently and absurdly."

From this paragraph, it appears that the leading characters in the political drama, with whom he was adjusting his diplomatic preliminaries, were members of the legislature; that they were friends of an alliance between the Northern States and Great Britain; that he had the utmost confidence in the integrity of this their intention; but that he could not entirely sympathize with their hopes and expectations, because they derived their power from a giddy, inconstant multitude, who, perhaps, the very next year, might desert them, and leave them out of the legislature.

Who those leading characters in the political drama—

members of the legislature — were, Mr. Henry has not told ; nor have they thought proper to disclose themselves. They were friends to an alliance between Great Britain and, not the United States, but the Northern States ; and, without knowing Mr. Henry's official character or the purpose of his visit to Boston, had unbosomed themselves so fully to him that he could not expect, even by disclosing to them his credential, to obtain any more knowledge of their party arrangements than he had already obtained from them ; and these had been sufficient for him to ascertain the precise time when, in the event of a New England Convention, he could open a correspondence between them and the Governor-General at Quebec.

All this was in perfect coincidence and harmony with the whole purport of my letters written in the preceding November, December, and January, and which were communicated to Mr. Jefferson : so much so, that it is not surprising his memory, in 1825, should have confounded together the information which he had received from my letter, with that which he had received from the publication, in 1812, of Henry's correspondence. The first effort to assemble a convention of the New England States was made at this same session of the legislature. It had been recommended in Mr. Pickering's embargo letter ; and had been earnestly objected to as unconstitutional in my letter to Mr. Otis of 31st March, 1808.

Such, then, were the purposes of some of the leaders of the party which prevailed in the legislature of Massachusetts in the year 1808-9, and at this time my letters were written ; nor did Mr. Jefferson ever afterwards receive any information relating to these subjects from me. In the year 1812, immediately after the declaration of war against Great Britain, was made the second attempt to get up a New England Convention. This project was defeated principally by a speech against it in Faneuil Hall, by Samuel Dexter, who then formally denounced it as the forerunner to the dissolution of the Union. From that time, Mr. Dexter suffered a persecution similar to that I had experienced before, — was considered and treated as an outcast from Federalism, and never forgiven to the day of his death.

In the confederate appeal, no attempt is made to convince you that the abortive measures to assemble a New England Convention in 1809 and 1812 were entirely disconnected with each other, or with the more successful effort of 1814; but a feeble argument is presented to show that, if there were such a project in 1804, it had no connection with any of the subsequent operations of the Federal party in New England. That the composer of the appeal has little confidence in this argument himself appears from his extreme solicitude to discredit the fact of the project of 1804. He repeats again the solemn assurances of his disbelief that any such project existed; and he and his associates tell you they have not a shadow of reason for believing, and do not believe, it. I pass over the tone of this declaration, as it bears upon statements repeatedly made by me of facts within my own knowledge, and barely remind you of the assertion publicly made by De Witt Clinton on the 31st January, 1809, in the Senate of New York. This emphatic and anxious declaration of the confederates, first, that they never knew nor heard of the project of 1804, nor of any thing like it; and, secondly, that they have not a shadow of reason for believing it, and do not believe it, — evinces their consciousness of the recoil which must come upon themselves, if the fact of the project of 1804 should be established beyond a doubt, upon testimony independent of mine. I lament the predicament in which they have placed themselves by these very positive declarations, upon the bare publication of the letter of Mr. Plumer, and of one paragraph in a speech of De Witt Clinton. I trust I have given sufficient proof that the projected New England Conventions of 1809 and 1812 were essentially and vitally connected with the project of 1804.

It is said, however, in the appeal, that the opposition to the measures of government in 1808 arose from causes which were common to the people, not only of New England, but of all the commercial States, as was manifested in New York and Philadelphia; and it is asked, "By what process of fair reasoning can that opposition be referred to, or connected with, a plan which is said to have originated in 1804, and

o have been intended to embrace merely a Northern confederacy?"

The process of reasoning is this:—

1. The project of 1804 was intended to include New York and Pennsylvania, if it should be found practicable, and perhaps even to extend to the Potomac. It was probably known so, and very strongly disapproved by, Mr. James A. Bayard. He was not in Congress in 1803-4; but in 1808 and 1809 he did not conceal his disapprobation of the course of the Federal opposition to the administration in New England. He was convinced that its object was, and its end must be, if successful, a dissolution of the Union.

2. Because the projectors of 1804 could obtain no aid or co-operation south of New England. It has been seen that General Hamilton and Mr. Rufus King had both been solicited to take part in it, without success. I never heard of any one person residing south of Hudson River having taken part in or approved of the project.

3. Because the measures of opposition to the embargo, and to Mr. Madison's administration until the peace, looking and immediately tending to a dissolution of the Union, were peculiar to New England; and were suggested, managed, and effected by the same persons who had been most earnest and effective in the project of 1804.

4. Because the project of 1804, having been declared in 1805 not to be abandoned, the course of public events during the succeeding years was such as entirely to prevent its prosecution until the embargo, when it reappeared in Mr. Pickering's appeal to the legislature of Massachusetts and the commercial States against that measure.

I shall now mention the measures peculiar to New England Federalists, indicating a design in certain of their leaders to effect a dissolution of the Union, and a new Northern confederacy.

First, Mr. Pickering's embargo letter to the Governor of Massachusetts, with a request that he would communicate it to the legislature. The avowed object of this letter was to produce the action of the legislature of the State against the laws of the Union. And in this letter there was a formal

invocation of the commercial States to a concerted opposition. The commercial States were precisely those included in the maximum of the project of 1804. In my letter to Mr. Otis of 31st March, 1808, I pointed out the unconstitutional nature of Mr. Pickering's appeal, and its direct tendency to a dissolution of the Union.

Secondly, The opinion, extra-judicially avowed by the Chief Justice of the Supreme Court of Massachusetts, that the embargo was unconstitutional. If you will refer, fellow-citizens, to my postulates for a design to dissolve the Union, in my answer to the confederates, which have so much disturbed the serenity of the composer of their appeal, you will see how necessary this opinion was to justify resistance to the embargo by the authority of the State. Mr. Otis tells you that "to the lawyers, statesmen, and citizens in general, of Massachusetts, the embargo appeared a direct violation of the Constitution." This is one of those assertions which he is inexcusable for subscribing his name to, and still more for prevailing upon his associates to subscribe with him. At the time when the embargo was enacted, the Governor and a majority of both branches of the legislature of Massachusetts were ardent friends and supporters of Mr. Jefferson's administration; not one of them believed the embargo to be unconstitutional. At the next election, notwithstanding all the pressure of the embargo, and notwithstanding the inflammatory instigations of Mr. Pickering's letter, the Governor was re-elected, and the Federal majority in the two Houses of the legislature was less than the single representation of the town of Boston. The Governor of the State, Sullivan; the Lieutenant-Governor, Levi Lincoln, father of the present Governor; my father; Elbridge Gerry; William Eustis; Charles Jarvis; Perez Morton; James Warren; Joseph Story; Benjamin Austin; Ezekiel Bacon, — were among the lawyers and statesmen of the Commonwealth, not one of whom believed the embargo unconstitutional. The district judge, a Federalist, after solemn argument against the constitutionality of that law, and that the argument of Samuel Dexter, pronounced it constitutional. The judge of the Cir-

cuit Court, to which the appeal from this decision might have been taken, was William Cushing, a Federalist, who, from the office of Chief Justice of the Commonwealth, had at the first organization of the Supreme Court of the United States been transferred to its bench by the appointment of Washington. So utterly did Mr. Dexter despair of the opinion of Judge Cushing, that he did not even take an appeal to it. Here is a list of lawyers and statesmen of Massachusetts who believed the embargo perfectly constitutional. I now call upon Mr. Otis, in the name of his veracity, to give you a list of lawyers and statesmen of Massachusetts, that will bear to stand by the side of this, and who believed the embargo to be a direct violation of the Constitution. And I give him full liberty to include his own name in the list.

The opinion that the embargo was unconstitutional was a political and a party doctrine, and not a judicial opinion. I do not believe that all those who entertained it designed the dissolution of the Union; but it originated in the same quarter which had been well acquainted with the project of 1804, and was one of the essential elements of its revival in 1808-9.

Thirdly, The opinion of three judges of the Supreme Court of the State, that the government of the United States, with the express power to call out the militia of every State in cases of invasion, and with a grant also express of all necessary powers to carry specified powers into effect, had yet not the power to determine when the case of an invasion existed. This was a judicial, though an *ex parte*, opinion. Like Mr. Pickering's embargo letter, it stands by itself. In no other instance, before or since, has the judiciary authority of a State been called upon by its legislature or executive to sanction resistance against a law of Congress. It is devoutly to be hoped the example will never be followed. It has cost the Commonwealth nearly a million of dollars; for which she has been, ever since the peace of 1815, a suitor to the Union. The opinion of the judges has been solemnly disavowed by the legislative and executive authorities of the State; and it is upon that disavowal alone that she can ever expect to

obtain payment of it by the United States. It has been said that Chief Justice Parsons, before his death, privately retracted this opinion. In the numbers of "One of the Convention," published in 1820, it is said that the Governor of the State waived the objection. It completely crippled the power of the general government to employ the militia of the State for its defence.

Fourthly, The Hartford Convention.

This representative convention of several State legislatures was in itself an incipient organization of a new confederacy. The leaders of the party, by whom it had been devised, had been struggling seven years to organize such an assembly. And it was undoubtedly the measure indispensable for effecting the dissolution of the Union. The Hartford Convention was to the Northern confederacy precisely what the Congress of 1774 was to the Declaration of Independence. The Convention itself could not be held but by an agreement between two or more States, which is in express violation of the Constitution,—a violation which would have been still more flagrant, had a second convention been elected according to one of the closing recommendations of that assembly.

These four measures, all originating in the same source, among persons who were actively concerned in the project of 1804, were entirely confined to New England. The second and third, which enlisted the judiciary of the State in the conflict with the Union, and assured impunity to the violators of the laws, was peculiar to the State of Massachusetts. They form together a system of political measures — pursued for seven years, marking unity of plans, adaptation of parts, perseverance of pursuit, and tendency to the same end — to which nothing bearing the slightest resemblance is found in any portion of the Union, out of New England. Violent as was the opposition to the embargo, and to all the measures of Mr. Madison's administration till the peace, in all the other commercial States, not a solitary instance is found south of Hudson River, of any countenance of authority given to any one of these measures. The Federalists of New York, Pennsylvania, and Maryland, were no more responsible for any one of these

acts than were the Democrats of New York and Massachusetts for the whiskey insurrection of 1794 in Pennsylvania.

It has been seen that, at the very outset of these measures, before even the appearance of Mr. Pickering's letter, I was under a full conviction that the opposition to Mr. Jefferson's administration, from the time of the embargo, could lead to nothing but the dissolution of the Union; that I distinctly declared this opinion to my friend, Mr. Quincy, on the 1st February, 1808; that I assigned it to him as my reason for the warm support I was then giving to Mr. Jefferson's administration; and that I told him I was prepared to make any sacrifice, even that of my life if necessary, to resist that issue. I spoke to him only of the tendency of the opposition, and said nothing to him of the designs of any one. All the measures I have here enumerated were taken after that time; and now, I have no doubt, if Mr. Otis, — who took a conspicuous part in the promotion and accomplishment of the whole system; who, as a member of the legislature, offered a call for Mr. Pickering's letter; who was the reporter of the resolution for assembling the Hartford Convention, second delegate to it, and one of the signers to its final report, — if he will undertake to show what possible end that system of measures could have had, other than that more than signal defeat which it did suffer by the peace of Ghent, or a civil war, a dissolution of the Union, and a Northern confederacy in league with Great Britain, he will render a service to the history of his country. But I give him notice that, if he should undertake it, he must prepare and present a very different statement of facts, preparatory to his standing panegyric upon the Hartford Convention, from that which he has exhibited in the appeal. He must not repeat, for example, that the embargo appeared to the lawyers, statesmen, and citizens of Massachusetts in general, a direct violation of the Constitution; because, besides that it was not so, it would be a libel upon the understanding of the people of the State, and would be very disrespectful to the judiciary authority of the United States, which solemnly decided the contrary. He must not repeat that the pretexts for imposing the embargo



were deemed by the citizens of Massachusetts a mockery of her suffering; because he must look in the face the British orders in council of November, 1807, and inform us how the much greater sufferings which would have been inflicted on them could have been warded off but by the embargo. The measure, by retaining at home the vessels and property of the citizens of Massachusetts, at least saved them to their owners. Had it not been adopted, they would have fallen into the hands of British captors, and the owners would never have seen it more. This is no theoretical speculation, as is proved by the following extract from the report of a committee of the Senate of the United States to that body, made on the 16th April, 1808, when the embargo had been four months in operation:—

The embargo "was adopted and the policy of it was enforced at the particular moment by accounts, quickly after confirmed, of the British orders of November, and by the probability that these would be followed (as has also happened) by an invigorated spirit of retaliation in other beligerent powers. The happy effect of the precaution demonstrated by the well-known fact, that the ports of Europe are crowded with captured vessels of the United States unfortunately not within the reach of the precaution."

The notice of the orders in council of 11th November 1807, upon which the embargo was laid, was a letter from London of the 10th of that month, announcing that such orders would immediately issue, and which was published in the "National Intelligencer" the morning on which Mr. Jefferson's confidential message recommending the embargo was sent to Congress. The embargo, therefore, was resorted to at the very first notice of the danger; and, indeed, the only plausible argument of Mr. Pickering against it was that it had been imposed too soon,—before the extent of the danger was officially known. And yet great numbers of vessels which did sail before the embargo took effect in the ports of the United States were captured and condemned in every part of Europe; and claims to a large amount are to this day pending in France, the Netherlands, Naples, and Denmark,—

besides those adjusted with Spain and Sweden, and besides those released in consequence of Mr. Englishe's arrangement in Great Britain,— which all originated in the British orders in council and the decrees of the Continental powers retaliatory upon them. It appears, by the above extract from the report of the committee of the Senate, that, in April, 1808, it was already known that the ports of Europe were crowded with captured vessels of the United States, which had been exposed to the effect of the orders and decrees ; because the embargo had not come soon enough to arrest their departure from the United States. What, then, would have been the fate of the commerce and seamen of the United States, had not the embargo interposed to save them ? There was not a spot of Europe to which they could have gone without seizure, capture, and condemnation. Those bound to the British Islands alone might have escaped the numerous cruisers of her enemies ; and the result would have been that, while she was destroying our trade with the rest of the world, we should have been reduced to a state of colonial dependence, with commerce exclusively confined to herself, and suffering all the depredations of war from her enemies.

This was the true state of things ; but all this is carefully masked in the statements of the appeal. Mr. Otis must not repeat that process ; nor must he repeat that it was a bitter aggravation of the sufferings of Massachusetts to be told that the object of the embargo was to preserve the interests of commerce and the persons of our seamen. That *was* its object ; and, as far as it operated, that object was attained. It did preserve them : it saved from total and irretrievable loss millions of property ; it saved, in all human probability, at that time, the nation from war, foreign and domestic ; it saved them from the projected sequel to Mr. John Henry's adjustment of diplomatic preliminaries, and from the correspondence which he proposed to open with the Governor-General at Quebec.

Nor must the composer of the appeal repeat, in his next vindication of the Hartford Convention, either that the Northern States were in sympathy with the authors of that

measure, or that it was supported by a "great majority of an exasperated people in a state of the highest excitement." He ought not to have asserted these things now; for, when they had been asserted in the numbers of "One of the Convention" in the "National Intelligencer," they had been demonstrated to be utterly unfounded, by a writer under the signature of "Massachusetts," who followed him step by step, number for number, exposed his errors, and refuted his arguments, till "One of the Convention" gave up his case in despair, and renounced his plan, before his publication was completed.

Who the author of "Massachusetts" was, I never knew until after the publication of the appeal; but he fairly drove "One of the Convention" from the field; and, if any one now will read with impartial judgment the two sets of those papers, he will need no rectification of his opinions with regard to the Hartford Convention. They are contained in the file of the "National Intelligencer" from 8th January to 10th February, 1820.

Nor, to any person who has read those papers, will Mr. Otis be allowed to repeat that the defence of Massachusetts was abandoned by the national government during the war, even with the seeming admission that it was "because she declined, for reasons which her highest tribunal adjudged to be constitutional, to surrender her militia into the hands of a military prefect." That very adjudication of her highest tribunal was an *ex parte* opinion, which wrested from the national government the means of defending the State of Massachusetts by the employment of her own militia. It is shown by the papers signed "Massachusetts" in the "Intelligencer," that, at an early period of the war, Governor Strong officially declined calling out the militia, thinking it unnecessary for the defence of the State. As to surrendering the militia into the hands of a military prefect, Mr. Otis well knows that the United States have no military prefects, and never asked the surrender of their militia. The use of these expressions is merely invidious. If an anonymous writer should affirm that the people of Boston had surrendered their city to a lord mayor, his object would, doubtless,

be to make the people and the mayor both odious; but it would be an imputation not more unjust, nor more unworthy, than that of calling the assignment of command over military districts to major-generals of the Army of the United States a surrender of militia to military prefects. Surrender is submission to an enemy; a military prefect was the title of officers under military despotisms. There are certain laws of truth from which even figurative language itself is not exempted: the defender of the Hartford Convention will do well hereafter to observe them.

I do not insist that, in his next defence of that Convention, when making up his charge against the embargo as the cause of all our commercial distresses at that time, he should remember his own solemn pledge, subscribed with his name, on the 16th of July preceding, approving of the measures of Mr. Jefferson in the affair of the "Chesapeake," and promising his support to any further measures of the government to vindicate the honor and the rights of the nation, so grossly outraged by that transaction. I will permit him to bury in total oblivion his solemn pledge; and I will not even ask him — though I shall claim of you to believe that I might, without being governed by selfish or sordid motives — to remember mine. But I cannot allow him to blink out of sight the orders in council: they were the principal cause of the embargo; they finally produced the war. My reason, indeed, for insisting upon his taking a full view of them, is no other than that he himself has at times, when it did not suit his purposes to conceal them, seen them in something like their true colors. On the 14th of January, 1812, when the war was on the point of blazing out; when the government of the United States had exhausted every means of avoiding it; when their repugnance to it was made the principal topic against them, and it had been said they could not be kicked into war, — Mr. Otis wrote a private letter to his friend in London, which was afterwards published, and in which he said, "You will perceive by the papers that our government profess the intention to assume a very warlike attitude; and that the sentiment of indignation throughout the country at

the continuation of the orders in council is loud and universal, from both parties." After writing this, and much more to the same effect, it cannot be tolerated that Mr. Otis should ascribe to the embargo those evils which in reality proceeded from those orders in council.

The merits of all controversial discussion must, in a great measure, depend upon the statement of the question. Allow the composer of the appeal to establish his premises, and he will bring you to what conclusions he pleases. His definition of the character of the Hartford Convention, after likening them to the Pilgrims, their ancestors, and to those who achieved the independence of their country, is an exact counterpart of his similitudes. He calls them a set of men discharging merely the duties of a "committee of a legislative body, and making a public report of their doings to their constituents."

A committee of a legislative body? Why this total perversion of the character of the Convention? Were the delegates from Connecticut a part of a committee from the legislative bodies of Massachusetts and Rhode Island? And, *vice versa*, of what legislative body were the delegates from the counties of Grafton and Cheshire, in New Hampshire, and from the county of Windham, in Vermont, the committee? The Massachusetts delegation consisted of twelve members, — nearly three times the number that the State had ever sent to the Continental Congress; and that clearly indicated the part that was to be reserved for Massachusetts to perform under the new system. Yet they did not constitute a positive majority of the whole body. The final report was signed by them all, twenty-six in number. Suppose it had been signed (as it might have been) by fourteen members, not one of whom was from Massachusetts, what sort of a report from a committee of the legislature of Massachusetts would that have been, made to that legislature by a set of men, not only not appointed by themselves, but not even citizens of the Commonwealth? Still more forcibly did this apply to the States whose appointments to the Convention were in less ambitious numbers. After seven years of persevering and indefatigable struggles, the Convention had succeeded to obtain

delegations only from three of the New England legislatures. Those of New Hampshire and Vermont had not yet learned the art of receiving reports of committees appointed by other authorities than their own, or of constituting committees to make reports to the legislatures of other States. Why must Mr. Otis style the Hartford Convention a committee of a legislative body merely to make a report of their doings to their constituents? Was the report of the Convention made to their constituents? The delegates from New Hampshire and Vermont were not appointed by the legislatures of those States: they were appointed by heated, violent county conventions of delegates from part of the inhabitants of part of the towns of two counties of New Hampshire and one of Vermont. Yet these men were received as entitled to seats in the Convention. They signed the final report; and that report was made to the Governors of the five New England States, in two copies,—one for the private use of the governor, and with request that the other copy, at some proper time, might be laid before the legislatures of those States. What sort of constituents to Mr. Otis, as a member of the Hartford Convention, were the legislatures of New Hampshire and Vermont? It was quite a volunteer assumption of the representative character, more resembling his present undertaking to represent all the Federalists of New England for the last twenty-five years than that of a committee-man of a legislature.

The Hartford Convention, therefore, was not a committee of a legislative body discharging merely the duties of making a public report of their doings to their constituents; and the attempt so to represent them can have no other object than to disguise their real character, which was that of an unconstitutional congress of members from the five New England States, appointed partly by feeble majorities of three of the legislatures, and partly by not more factious county conventions,—all consisting of the most inveterate adversaries to the administration of the government of the United States, then struggling with all the difficulties and dangers of a formidable and desolating foreign war.

This was the true character of the Hartford Convention; and the composition of the body furnishes a complete refutation that a large majority of the people of the New England States were prepared for the accomplishment of designs which might be intended by leaders to dissolve the Union. There was no such majority prepared even for such an assembly as the Hartford Convention. The admission of the members from New Hampshire and Vermont discloses the conscious weakness of the whole body. The delegation from Massachusetts had been chosen by only a part of her legislature. A very numerous and respectable minority, headed by the present Governor of the Commonwealth, after solemnly protesting against the whole proceeding, had seceded from the body, and refused to contaminate their hands with the ballot. The elevation of that distinguished and excellent man to the first magistracy of the State, at an age unexampled in her annals, is conclusive evidence of the present sentiments of the people of Massachusetts, both with regard to the Hartford Convention and to its opponents. To obtain even the semblance of a representation from all the New England States, the Convention were compelled to receive as members, equally well accredited with themselves, the delegates of partial popular meetings in two counties of one State, and only one of another. They seemed really to have felt themselves forced to call in the halt and the blind to their banquet; and one hardly sees the consistency of their scruple, since attested by Mr. Otis, though not appearing upon their journals, by which that spirit, congenial to their own and to those of the just made perfect, — the Field-Marshal of the Federal editors from New York, — was excluded.

The appeal introduces a somewhat elaborate defence of this "much injured assembly," by observing that it is not a suitable occasion to go into a full explanation and vindication of that measure. As Mr. Otis reserves himself for that full explanation and vindication, I have the less hesitation in calling upon him for it now; and in pledging myself to prove to your satisfaction, and to that of future ages (for it is vital to the history of our Union), that, in the severe judgment

which the nation has passed upon that assembly and its proceedings, there has been no injustice whatever.

But, in making this call, I must again warn him not to draw upon his imagination for the statement of the question. He must not, for example, in undertaking to show "the constitutional right of a State to appoint delegates to such a convention," place it upon the ground of the constitutional "right of the people to petition" the government for the redress of grievances. This is a right reserved by the Constitution of the United States, and by the Constitution of Massachusetts, to be exercised by the people in their primitive capacity; and, far from being delegated to the legislature, cannot be assumed by them without an usurpation of the right of the people themselves. The right of petition is well known and understood: it is a sacred right, which the people of Massachusetts never thought proper to entrust to their legislature to exercise for them. Mr. Otis asks, "Who shall dare to set limits to its exercise, or to prescribe to us the manner in which it shall be exerted?" and, with that consistency of logic which belongs to the operations of his mind, he proceeds to prove that the object of the legislature was to limit the exercise of this right. He says, "In the distress and danger which then oppressed all hearts, it was to be apprehended, as before suggested, that large and frequent assemblies of the people might lead to measures inconsistent with the peace and order of the community;" and so, to save the people from their worst enemy, — themselves, — a small majority of their legislature, against the solemn remonstrance and protest of the representatives of a very large portion of the people thus to be robbed of their own unalienated right of petition, — do what? Petition for them? No; but elect twelve delegates to go to Hartford, and there consult with seven delegates from the legislature of Connecticut, four from the legislature of Rhode Island, two from sundry caucuses in New Hampshire, and one from a similar meeting in Vermont, not about petitioning for redress of grievances, but about amendments to the Constitution of the United States, — about measures of the State legislatures for resisting the exe-



cution of the laws of Congress to defend the Union against a foreign enemy, — about the question whether “the time for a change,” that is, for a dissolution of the Union, was or was not at hand, — about demanding of the government of the United States that, “a reasonable portion of the taxes collected within said States should be paid into the respective treasuries thereof;” and, finally, to introduce a suitable portion of derisory matter into this tragi-comedy, by a solemn declaration that “this Convention will not trust themselves to express their conviction of the catastrophe to which such a state of things inevitably tends.” “O Liberty!” said Madame Roland, as she was going to the scaffold, “what crimes are committed in thy name!” O sacred Right of Petition, what fancies are indulged in thine!

Nor can Mr. Otis be permitted to place the lawfulness of the Hartford Convention upon his other ground, — “the right of the States, in a time of war and of threatened invasion, to make the necessary provision for their own defence.” The appointment of a parti-colored, half-legislative, half-caucus-chosen delegation from five States, to devise absurd and insulting amendments to the Constitution of the United States; to vilify and slander the government of the Union; to recommend resistance by State authority against their laws; and, finally, to hold out that ludicrous threat of not trusting themselves to express what they mean, — was not “a necessary provision for the defence” of those States, or any one of them. Mr. Otis must henceforth have too much respect for you, fellow-citizens, to tell you that measures, the whole and glaring tendency of which was to cripple the means employed by the national government for the defence of the States, were necessary provisions for that same defence.

There is another difficulty, too, which Mr. Otis must get over, when he undertakes, upon a true statement of the question, to defend the lawfulness of that assembly: it is that provision of the Constitution of the United States which, in express terms, prescribes, that “no State shall, without the consent of Congress, enter into any agreement or compact

with any other State." Art. 1, § 10. There is a previous provision, in the same section, that no State shall enter into any treaty, alliance, or confederation. This, indeed, is positive and unqualified: the Constitution forbids it even with the consent of Congress. These two distinct and separate regulations show with what extreme jealousy the people of the United States have interdicted all partial combination of States. Under no circumstances whatever would they allow any of the States to enter into any treaty, alliance, or confederation. But, not content with that, they, by a subsequent and subsidiary clause of the same section, forbid that any State should, without the consent of Congress, enter into any agreement or compact with another State; and these two words are not synonymous. A compact, by the force of the terms, imports a written engagement. An agreement may be written or verbal, formal or informal. The object of the people in the Constitution, undoubtedly, is to forbid them all, and with the best of reasons; because every such agreement or compact to which the Congress representing the whole Union would not give their consent, must, in its nature, strike at the vitals of the Union itself. Since the existence of the Constitution of the United States, the Hartford Convention is the only instance in which this provision has been substantially violated. It was impossible for the delegations from the legislatures of three States to meet on one and the same day, at the same place, and there constitute themselves into a representative assembly, without a substantial agreement between the three States to that effect. And when we consider that the object of the meeting was to consult upon amendments to be proposed to the Constitution, affecting the principle of the great compromise, without which all union between the North and South would be chimerical; upon a concert of resistance against the execution of the laws of Congress; and upon a cool discussion whether the time for a dissolution of the Union itself was at hand,—it is scarcely possible to imagine a case to which the interdict of the Constitution would more conclusively apply. In all his defences of the Hartford Convention heretofore, Mr. Otis

had avoided all reference to these express prohibitions of the Constitution. In the appeal, he makes no direct allusion to them; although it is apparent, from the wary phraseology used in it, that he was laboring with the consciousness of their force. Let him now fairly meet them.

And, while engaged in this task, it will be expedient for him to show how the objects which he admits were intended by the Convention, could be carried into effect, without agreements or compacts between the States parties to the Convention. He says, "It is obvious that the best mode of providing for their common defence would have been by a simultaneous and combined operation of all their forces." Here is a confederation ready made. By the same process of reasoning, will Mr. Otis please to inform you why those States should not, also, by a combined operation for their common defence, have negotiated a separate treaty of peace with the foreign enemy, and then an alliance with the "fast-anchored isle" against the rest of the Union? All this was seen by Mr. John Henry at the time of the adjustment of his diplomatic preliminaries. To the accomplishment of all this, nothing further was necessary, as for justification to the new confederacy, than to assume (as Mr. Otis does assume) that the New England States had been deserted by the government, and left to rely on their own resources. This assumption was not more true, and was far less ingenuous, than another, much relied upon at that time by those of the same party who could trust themselves to express their convictions of the catastrophe to which things were tending; namely, that the Union was already virtually dissolved. The assumption that the general government had abandoned the defence of the New England States was only a more cunning way of saying the same thing. As a pretext, it was just as good for a separate peace,—for an alliance with the bulwark of our holy religion, and for war against the rest of the Union, as it was for the Hartford Convention and its now avowed object,—a simultaneous and combined operation of all the forces of the New England States.

The right of the separate States, therefore, to provide for

their own defence, and the right of the people to petition for a redress of grievances, are equally inefficient to justify the Hartford Convention. They are as hollow and unsubstantial as the two props to the ghost of continental money in Mac-Fingal. And the final concession of Mr. Otis, that the people ought not to exercise their right of petition "in this imposing form," except upon great occasions, was quite unnecessary in a case of which, however imposing the form, the substance was any thing but the exercise of the right of petition by the people.

In the defence of the Hartford Convention, published in the "National Intelligencer" in January, 1820, the concessions of Mr. Otis went much farther than he is now disposed to go in his appeal. He did not then attempt to rest it upon the right of the people to petition. And he fairly acknowledged that many if not all the members of the Convention "would candidly admit that, with a knowledge since acquired of the extreme jealousy and misrepresentation to which a convention of States must ever be obnoxious, they would find no inducement, even with the purest motives, to give countenance to a measure which, by offending public opinion, would be divested of the power of doing good." There is an old and homely adage, that a burnt child dreads the fire. After Mr. Otis had made the discovery and the acknowledgment that a convention of States, like that of Hartford, could, under no circumstances whatever, come to good, it would have been better for his future estimation to have adhered to the doctrines of his new illumination, than to have presented himself as its champion upon the discovery, also, of this new platform of defence, — the right of the people to petition.

In the defence of the proceedings of the Convention itself, Mr. Otis must also take other grounds than any of those which he has heretofore assumed. He must not tell you, for example, that the "main" object of the Convention was "the defence of this part of the country against the common enemy;" or that "the burden of that report consisted in recommending an application to Congress to permit the States to provide for their own defence, and to be indemnified

fied for the expense by reimbursement in some shape from the national government of at least a portion of their own money." For I shall show you a very different main object and a very different burden to the report of the Convention.

Before coming, however, to this report of the Convention, it may be proper for Mr. Otis to explain to you what was the motive of that injunction of profound and inviolable secrecy, laid by the Convention upon all its members, including the secretary, as to all propositions, debates, and proceedings thereof; and what was the motive of their repeating this injunction after the acceptance of that final report, and only two days before their adjournment. So profound was this injunction that, by an express rule, the secretary was authorized to employ a door-keeper and messenger, with a suitable assistant if necessary, neither of whom were at any time to be made acquainted with any of the debates or proceedings of the board. This is a closeness of secrecy never practised by the Congress of the confederation, nor, under the present Constitution of the United States, by their Senate. Two resolutions of secrecy at their first meeting, not only binding upon the conscience of every member of the assembly, including the secretary, but excluding from all knowledge of their proceedings and debates their very messenger and door-keeper, are a process unexampled in the history of political assemblies in this country. The repetition of this injunction upon the members and secretary at the very moment of their separation, after the acceptance of their final report, was still more extraordinary. In consequence of this impenetrable veil drawn round them, even the journals of the Convention themselves were reserved from the knowledge of the legislatures of the States represented in the Convention. The grave, the secret tribunals of the thirteenth century, and the institution of free-masonry, are the only parallels to be compared with the profound mysteries of the Hartford Convention. And Mr. Otis is yet answerable to the nation and to posterity for his broad assertion, in a recent letter to the secretary of the Convention, that he knew that body had nothing to keep secret after the acceptance of the final report.

The injunction of secrecy never was removed. But four years afterwards, when the rays of public indignation at the formation and conduct of this assembly had been gradually gathering, till they had made them a by-word in the nation, on the 31st December, 1819, Mr. George Cabot, Ex-President of the Convention, did deliver to Alden Bradford, then Secretary of the Commonwealth of Massachusetts, the original journal of the Convention, sealed. Mr. Bradford certifies that the same, having been soon after laid before the Governor of the State, was by his direction opened and deposited with the records and documents of the State, in the Secretary's office. Mr. Cabot had no authority from the Convention so to deposit it; for, together with the renewed injunction of secrecy, the last act of the Convention had been to commit the journal to his care. In the first number of "One of the Convention," in the "National Intelligencer" of 8th January, 1820, it is said that this deposit was made with the consent of all the surviving members, obtained in writing under their hands, at a distance from each other, and without any intercommunication; and on the 10th November, 1819, when an elaborate defence of the Convention, at the city of Washington, was to be undertaken by the chairman of the committee, and presumable author of their final report, a copy of this journal was furnished by Mr. Bradford, with the following copy of a certificate then made by Mr. Cabot upon the original journal:—

"I, George Cabot, late President of the Convention assembled at Hartford, on the 15th December, 1814, do hereby certify that the foregoing is the original and only journal of the proceedings of that Convention; and that the twenty-seven written pages which compose it, and the printed report heretofore published, comprise a faithful and complete record of all the motions, resolutions, votes, and proceedings of that Convention. And I do further certify that this journal has been constantly in my exclusive custody, from the time of the adjournment of the Convention to the delivery of it into the office of the Secretary of the Commonwealth."

This copy of the journal was sent by Mr. Otis to the edi-

tors of the "National Intelligencer," with the first number of "One of the Convention" and a preliminary letter demanding access to their columns for his defence. The copy of the journal he requested might be deposited on their shelf, for the inspection of any curious person at the seat of government, that, by a comparison of it with the final report, a printed copy of which was also transmitted by Mr. Otis, they might convince themselves, not only that no project for a separate confederation, or in any other mode hostile to the integrity of the Union or the success of the war, was entertained or moved in that body; but that the original report did truly contain the substance of whatever was there meditated or transacted.

The transition from the thrice re-enforced injunction of inviolable secrecy with regard to all the debates and proceedings of the Convention, to this opposite extreme of anxiety to give publicity to their journal, is not a little remarkable. After four years of faithful observance of all the secrets by all the members, they became a little burdensome to some of them, and particularly to Mr. Otis, the putative father of the Convention and the supposed author of their final report. He had about a year before, to his great astonishment and regret, for the first time, made the discovery that out of New England many Federalists had been led to believe in this ideal creation of a separation of the States; and it had got to be matter of amusement to him to observe in New England, here and there, Federalists whose zeal in favor of a Convention was the only inducement for their friends to accept the trust, now assenting with great self-complacency to the discrimination sometimes attempted to be made between the conventioners and their constituents. This reminded him of the Pharisee's "Thank God! I am not like this publican;" and he thought there was no excuse for it but a short memory. It would have been well if Mr. Otis's own memory had reminded him of all this, when, on the 28th January last, he told you, that these charges had until then attracted very little attention in the State. His amusement, however, after he had made the notable discovery just mentioned, had lasted

him long enough to pall upon the taste. The friends whose zeal in favor of the Convention had been his only inducement for accepting the trust, were now deserting him, and here and there, like the Pharisee in the Gospel, assenting with great complacency to the discrimination between the conventioners and their constituents. He had followed the impulse of their opinions, against his better judgment, till it had embarked him irretrievably in their projects; and now he found them disposed to —

“ Forsake the ship, and gain the shore,  
When the winds whistle and the tempests roar.”

It now became necessary to make the journal of the Convention public. It had been committed with an injunction of inviolable secrecy to the custody of the president. The first step was to obtain the consent of every surviving member of the Convention that the journal should be deposited among the legislative archives of the Commonwealth of Massachusetts. This consent was accordingly obtained in writing. The journal was so deposited and opened, and thereby became a public document. Nearly twelve months after this, when the great defence of the Convention was to appear in the “Intelligencer,” a certified copy of the journal was obtained from the Secretary’s office of the Commonwealth of Massachusetts; and then, and not till then, the above certificate, signed by Mr. Cabot, was entered upon the original journal, which he had deposited in the Secretary’s office eleven months before. The anxiety now to make known all the proceedings of the Convention became as great as it had been to suppress all of them at the time of their separation. Nothing of all this had been foreseen by the Convention.

The composer of the appeal thinks it grievous that I should have condescended to intimate that the Convention was adjourned to Boston, and, after saying that the assembly adjourned without day after making its report, adds, “It was *ipso facto* dissolved like other committees;” though he admits there was a resolution contingently recommending to the legislatures of the several States the appointment of delegates to another convention, to meet at Boston on the third Tuesday of June



then next. But this was not the only resolution to which my expression referred. The Convention was not dissolved. There was another resolution in the following words:—

“Resolved, That the Hon. George Cabot, the Hon. Chauncey Goodrich, and the Hon. Daniel Lyman, or any two of them, be authorized to call another meeting of this Convention, to be holden in Boston, at any time before new delegates shall be chosen as recommended in the above resolution, if in their judgment the situation of the country shall urgently require it.” This was what I called an adjournment to Boston; and such it substantially was. The place of their next meeting was designated, although the meeting itself was contingent, to be held at the call of any two of the three designated members.

Precisely at the time of these ruminations and discoveries of Mr. Otis, he made the further discovery that the journal of the Hartford Convention should be made public, for the purpose of showing, not indeed (as is usually the reason for the publication of journals), what they did, but what they did not do. It was to be a complete negative demonstration that the Hartford Convention did not formally propose a dissolution, and the formation of a new confederacy. But, to draw the inference which Mr. Otis wished to deduce from this fact, it was necessary to establish two principles: first, that the Convention and all its members had no design except what appeared upon their journal; and, secondly, that they were responsible for nothing else. This, then, was the burden of all the numbers of “One of the Convention” in January, 1820; and it has been the burden of all Mr. Otis’s defences of that assembly to this day. But nothing can be more fallacious: for the journal contains no particulars of the debates; and one of its most remarkable characteristics, as the journal of an assembly, is its careful and total exclusion of the opinions of every individual member. With the single exception of a motion of Mr. Otis, that the meetings of the Convention should be opened by prayer, the name of no one member is attached to any proposition made, or to any amendment

offered. Two of the reports of their committees were discussed two or three whole days each. The first eight pages of the final report were, after debate, recommitted to the same committee for reconsideration. The reports are said to have been accepted, after discussing and amending them; but none of the amendments offered, whether accepted or rejected, appear on the journal. No record of yeas and nays. It does not even appear whether they voted by States or *per capita*. The round-robin principle is observed as faithfully as it was by the mutineers at the Nore; and the journal of the proceedings of the Convention is a journal of suppression of the proceedings, purposes, and designs of every one of its members.

The journal of the Convention does, however, most conclusively prove the incorrectness of Mr. Otis's often-repeated assertion, — that the main and avowed object was the defence of this part of the country (New England) against the common enemy. It was doubtless one, but was so far from being the main object, that it was not till after the final report was accepted and approved that a committee of three persons was appointed "to consider and report what measures it will be expedient to recommend to the States for their mutual defence." That committee reported the next day, — the last day but one of the session. That report was read, accepted, and approved, apparently without debate; but it does not appear from the journal what it was. Perhaps it consisted only of the third resolution appended to the final report of the other committee; but the journal shows that the committee was not even raised to consider of it, until after the main business of the Convention had been reported, discussed, and concluded.

The journal of the Convention, however, together with their final report, do furnish the means, when considered in connection with the state of public affairs existing at the time in the Union and in New England, of determining what were their main objects. They were, —

1. To complete the prostration of the power of the general government to employ the militia of New England for her defence against the foreign enemy; which had already been

in a great measure effected by the opinions of the judges of the Supreme Court of Massachusetts in the militia cases.

2. To organize a concert of resistance, by the authority of the State governments, against the laws of Congress providing the means of carrying on the war.

3. To direct and mature the popular excitement against the general government in New England, till the majority calling for a separation, a separate peace, and a New England confederacy, should become irresistible, and the responsibility of proposing it should be safe for leaders seeming to influence public opinion, but merely impelled by its force.

4. To inflame to madness the party, already at fever-heat, by the simultaneous, vigorous application of both curb and spur upon the subject of a separation and a new confederacy.

5. To prepare for a permanent congress of the New England States, by providing for the contingent reassembling of the same Convention, and by recommending the election of another New England convention, after the annual change of their respective legislatures.

6. And to provide a safe retreat from the whole system, in the not improbable event that the Ghent negotiation should eventuate in a treaty of peace; which happened on the very day that the Convention fixed upon the "general project of such measures" as it might be proper for them to adopt, and which were of the above number of six.

These were the main objects; and true it is, there was in all this no formal proposition for a dissolution of the Union and the formation of a new confederacy. But, with all this flagrant in every page of the journal and of the final report, is it not drawing largely upon your credulity to tell you that the main object of the Convention and of the report was the defence of New England against the foreign enemy?

The nation was in the midst of a war with Great Britain, — a war caused partly by that outrage upon the "Chesapeake," for which Mr. Otis had, on the 16th July, 1807, pledged himself to sustain the government of the Union in obtaining reparation, and chiefly by those orders in council concerning which, in January, 1812, a very few months

before the war was declared, and in immediate prospect of it, he had written to his correspondent in London that the sentiment throughout the country was loud and universal. Great Britain had made it a predatory war. The whole line of our maritime coast was suffering from the depredations of her squadrons: Washington had been taken; Baltimore had escaped only by a miracle. It was the first war in which the Union had been engaged under the present Constitution; it was a war in which the services of the militia were peculiarly adapted to the defence of their own firesides: and then it was that the Hartford Convention met "for the purpose of conferring on such subjects as may come before them," says their journal.

On the first day of their meeting, they appointed a committee of five to inquire what subjects would be proper to be considered by the Convention, and to report such propositions for that purpose as they might think expedient to the Convention the next morning.

The next morning this committee reported.

On the 19th of December, a committee of five was appointed to prepare and report a general project of such measures as it might be proper for the Convention to adopt.

Of each of these committees, Mr. Otis was the second member.

On the 20th of December, the Committee of Measures reported. The measures proposed were these,—and your attention is earnestly invited to them, because these, I apprehend, contain the main object of the Convention; and if, after reading them, you are to be told that their main object was the mutual defence of the New England States against the common enemy, you will be enabled to judge who that common enemy was. The following is the report of the Committee of Measures, extracted from the journal:—

1. "That it will be expedient for this Convention to prepare a general statement of the unconstitutional attempts of the executive government of the United States to infringe upon the rights of the individual States in regard to the militia, and of the still more alarming claims to infringe the

right of the States manifested in the letter of the Secretary of War, and in the bills pending before Congress, or acts passed by them; and, also, to recommend to the legislatures of the States the adoption of the most effectual and decisive measures to protect the militia and the States from the usurpations contained in these proceedings.

2. "That it will be expedient, also, to prepare a statement exhibiting the necessity which the improvidence and inability of the general government has imposed upon the several States, of providing for their own defence, and of the impossibility of their discharging this duty, and at the same time fulfilling the requisitions of the general government; and, also, to recommend to the legislatures of the several States to make provision for mutual defence, and to make an earnest application to the government of the United States, with a view to some arrangement whereby the States may be enabled to retain a portion of the taxes levied by Congress for the purposes of self-defence, and for the reimbursement of expenses already incurred on account of the United States.

3. "That it is expedient to recommend to the several State legislatures certain amendments to the Constitution of the United States hereafter enumerated, to be by them adopted and proposed.

1. "That the power to declare or make war by the Congress of the United States be restricted.

2. "That it is expedient to attempt to make provision for restraining Congress in the exercise of an unlimited power to make new States, and admit them into this Union.

3. "That the power of Congress be restrained in laying embargoes and restrictions on commerce.

4. "That a President shall not be elected from the same State two terms successively.

5. "That the same person shall not be elected President a second time.

6. "That an amendment be proposed respecting slave representation and slave taxation."

On the 21st of December, a committee of seven was appointed, and of which Mr. Otis was the chairman, to pre-

pare a report illustrative of the principles and reasons which have induced the Convention to adopt the results to which they have agreed.

The results to which they had agreed are contained in this report of the Committee of Measures, which, after discussion and amendment, was adopted, and referred to the committee of seven who were to prepare the illustrative report.

And now examine this system of measures, as a whole and in all its parts, and see how much of it relates to the mutual defence of the New England States against the common enemy. The common enemy is not once named throughout the whole report. If you take the words "mutual defence" and "self-defence," in the second article, in connection with the whole import of the first, the conclusion is irresistible, that the common enemy against whom mutual defence and self-defence was to be made, was the usurping power, and the usurpations denounced in the first article, against whom and against which the most effectual and decisive measures were recommended to the legislatures of the States to protect the militia and the States.

But suppose that, by the words "mutual defence" and "self-defence" the Convention intended they should be understood with reference to the foreign enemy, what is the second article but a declaration that it was impossible to make that defence, and at the same time fulfil the requisitions of the general government, and, coupled with that declaration, the recommendation of a demand upon the general government that the States should retain a portion of the taxes levied by Congress? The essential part of the article was this demand. It was a grasp at the treasury,—the only thing wanting to complete the partial confederacy.

The first article presents an array of alleged unconstitutional usurpations by the government of the United States to be effectually and decisively resisted, under the authority and by-laws of the States represented in the Convention; and these usurpations consisted of all the measures of the government of the United States for employing the militia for defence against the foreign enemy.

It took away from the general government — the sword.

The second article declared it impossible for the States to defend themselves, and at the same time fulfil the requisitions of the general government. It recommended an earnest application of the State legislatures to the general government for the authority to retain a portion of the taxes. It took away — the purse.

The third article recommended to the legislatures of the States to adopt and propose six amendments to the Constitution of the United States. One of these amendments avowedly looked to the abolition of the slave representation; and three substantially, to annihilate the power of Congress to declare war, to regulate commerce, and to admit new States into the Union. It is scarcely possible to conceive a more complete overthrow of all the principles upon which the Constitution of the United States is founded, than would be effected by these four amendments.

And now where, in all this, is the main object of providing for the defence of this part of the country from a foreign enemy?

Look again at the whole system of measures proposed by this report, and ask yourselves what could have been the design with which it was framed. Go not to the Searcher of hearts; but go to the Giver of intellect. Ask what proportion between means and ends, what faculties of reason and of fame, would necessarily be employed by twenty-six men among those of the highest attainments in the community, assembled to provide means of defence against a foreign enemy. Would it be by organizing resistance against the measures of the constitutional authority of the Union for that very defence? Would it be by urging amendments to the Constitution, not only destructive of it, but peculiarly offensive and insulting to that portion of the Union to which they must be proposed, and whose consent to them the wildest visionary never could have expected? Are these the means? and is that the end?

You are told in the appeal that the Convention adjourned early in January; that, "on the 27th of the same month, an

act of Congress was passed which gave to the State governments the very power which was sought by Massachusetts; viz., that of raising, organizing, and officering State troops, to be employed in the State raising the same, or in any adjoining State, and providing for their pay and subsistence. . . . Had this act of Congress passed before the act of Massachusetts for organizing the Convention, that Convention never would have existed. Had such an act been anticipated by the Convention, or passed before its adjournment, that assembly would have considered its commission as in a great degree superseded."

So says the appeal. Now, if you will turn to the first article of the report of the Committee of Measures, you will find that the bills pending before Congress, or acts passed by them, are included among the grievous usurpations which it was recommended to the State legislatures to resist by the most effectual and decisive measures. This act of the 27th January was one of those very bills then pending before Congress. It had passed the House of Representatives on the 7th December. The fact of its passage in the House must have been known at Hartford on the 15th December, the day when the Convention met. It was pending in the Senate when the Committee of Measures made their report. It passed the Senate by an unanimous vote on the 7th January, only two days after the Hartford Convention adjourned.

And what says the final report adopted by the Convention only two days before the adjournment of the Convention? After making the formal inquiry whether any expectation "can be reasonably entertained that adequate provision for the defence of the Eastern States will be made by the national government," and after a most aggravating picture of the grievances of the militia and destitution of defence hitherto, it says, —

"The project of the ensuing campaign is not enlivened by the promise of the alleviation of these grievances." And again, "If the war be continued, there appears no room for reliance on the national government for the supply of those means of defence which must become indispensable to secure these States from desolation and ruin."



Thus, this universal panacea, — the act of 27th January, 1815, — which you are now told was of such healing efficacy that, if it had been passed before the legislature of Massachusetts chose their delegation to the Hartford Convention, it would never have been held; and, if anticipated by that assembly, they would have considered their commissions as in a great degree superseded, was at that time included in their sweeping denunciation of the bills before Congress to be resisted; and was so far matured that it had passed the House of Representatives eight days before the Convention met, and passed the Senate two days after the Convention adjourned.

The report of the Committee of Measures did not specify the bills pending before Congress, or acts passed by them, which it classed among the grievances; but the final report, after referring to all the bills pending, or acts passed for raising men, says, "In this whole series of devices and measures for raising men, this Convention discern a total disregard for the Constitution, and a disposition to violate its provisions, demanding from the individual States a firm and decided opposition." No exception whatever in favor of this bill, though at that time so near its passage, and known by the Convention to be so.

This act removed none of the grievances; it renounced none of the usurpations against which the Convention recommended legislative resistance. It authorized the President of the United States to receive into their service, and at their expense, a certain number of men in each State (in Massachusetts, 4,895), raised, organized, and officered under the authority of the State, for a term of service not less than twelve months; and to be employed in the State raising the same, or in an adjoining State, and not elsewhere, except with the assent of the executive of the State so raising the same. And the President was authorized to consider such corps as part of the quota of militia of the State raising the same. And true it is that this simple provision rendered totally unnecessary that proposal of some arrangement by which the Convention recommended to the legislatures to demand that a portion of the taxes raised by act of Congress

should be paid into the treasury of the State. It did, by the authority of Congress, and in a manner perfectly constitutional, every thing for the defence of the States which could possibly have been effected by the second and third resolutions of the Convention, and proved to demonstration how utterly unnecessary they were. And, as those two resolutions themselves were in flagrant violation of the Constitution of the United States, — proposing to do that by the separate authority of State legislation which was exclusively within the competency of the Union, — it is a grave question to ask Mr. Otis why, with such an act of Congress passed the House of Representatives, and at the eve of passing the Senate, his final report should have said that, in the “whole series of measures and devices” of the general government “for raising men, the Convention discerned a total disregard for the Constitution, and a disposition to violate its provisions, demanding from the individual States a firm and decided opposition.” Why it should have said that, “the prospect of the ensuing campaign was not enlivened by the promise of any alleviation of these grievances;” and that, “if the war should be continued, there appeared no room for reliance upon the national government for the supply of those means of defence which must become indispensable to secure these States from desolation and ruin.” A graver question still is, Why, with such an act of Congress at the very verge of enactment, and known to be so by the Convention, they did not consider their own commission at least so far superseded as to abstain from the recommendation of measures destructive to the Constitution and the Union as their three resolutions would have been, and confine themselves and their report to the recommendation of their seven amendments to the Constitution, — so wise, so liberal, so adapted to the energy and harmony of the Union, that they could not have failed to immortalize the memory of the statesmen by whom they were proposed, to redeem the Convention from all the obloquy which has fallen upon them and their labors, and to surround them with the halo of unfading glory due to those who fairly represented whatever of moral, intellectual, or patriotic worth is to be found in the character of the New England community.

But this act of 27th January, 1815, now admitted by Mr. Otis to have been so thorough a remedy for all the reality of grievance which afforded even a pretext for the Hartford Convention, but then of so little account to them that they did not even except it from their denunciation of usurpations to be resisted, did not in fact remove any one of those pretended usurpations. The corps of State troops thus to be raised, organized, and officered by the authority of the State, could not have been received into the service of the United States but by being placed under the command of the military prefect; and, according to the opinion of the judges of the Supreme Court of Massachusetts, and to the argument in the final report of the Hartford Convention, neither the Governor nor even the legislature of Massachusetts could have placed this corps of troops under such command. It was, therefore, an offer which the State could not accept without trampling upon the opinion of their own highest tribunal, and striking out from their list of grievances the most formidable of the so-denominated usurpations.

The report of the Committee of Measures was the foundation upon which the final report of the committee of seven was the superstructure; and in this organization of proceedings will again be perceived the part reserved for the State of Massachusetts in this political drama. The first delegate of Massachusetts was President of the Convention; the second delegate from Massachusetts was second member of the committee to report subjects for consideration, second member of the committee for reporting measures, and chairman of the committee to prepare the illustrative report. Both these gentlemen were inhabitants of Boston; so true it was, as had been attested by Mr. Henry, that Boston was the place "where the whole concerns of the opposition were managed."

On the 29th of December, 1814, the following additional proposition was referred to the committee appointed to prepare the final report:—

"That the capacity of naturalized citizens to hold offices of trust, honor, or profit, ought to be restrained; and that it

is expedient to propose an amendment to the Constitution of the United States in relation to that subject."

On the 30th of December, the final report was presented to the Convention.

After two days of discussion, the first eight pages of the report were recommitted to the same committee to reconsider the same.

And, after two days more of discussion, the report was amended, accepted, and approved.

Then the injunction of secrecy was renewed and continued.

The committee had been instructed to report such documents and articles as they might think proper to compose an appendix to the report.

And, after all this, a committee of three was appointed to consider and report what measures it would be expedient to recommend to the States for their mutual defence. Mr. Otis was not of this committee.

The report of the Convention is now to be considered; the system of measures recommended to the New England States by this assembly representing whatever "of moral, intellectual, or patriotic worth is to be found in the character of the New England community."

And, first, even with the exception of himself, which Mr. Otis allows us to make from this magnificent panegyric upon his associates, I do humbly submit that this assertion is rather too comprehensive. It implies that there was in New England no worth, moral, intellectual, or patriotic, except that which was represented in that Convention, — a Convention in which, of all New Hampshire, a part only of two counties was represented; and, of all Vermont, only a part of one county, — a Convention which, assembled at a time of the most extreme political excitement, represented only the extreme part of one party against the most ardent wishes and most solemn protest of the other. In answer to the assertion that the lawyers and statesmen of Massachusetts believed the embargo unconstitutional, I have given a list of names of citizens of Massachusetts entitled to that character, if any such existed in her bosom, who did not so believe, but directly the

reverse. I now refer to every one of that list who survived when the Hartford Convention met, and ask Mr. Otis whether they or their sentiments, or any of those who thought with them, were represented in that assembly; or whether he means to say that a Convention, the very existence of which all those citizens abhorred, represented whatever of moral, intellectual, or patriotic worth was to be found in the character of the New England community. And to that list I now add the name of Samuel Dexter, — of him whom I could not include in that list, because, having argued in his professional capacity the question of the constitutionality of the embargo, he had convinced his own mind of that of which it was his duty to endeavor to convince the court; but who, when the attempt was made, in 1812, to assemble a New England convention, the prototype of that of Hartford, by the most memorable act of his life, stepped apart from his party, —

“ Unshaken, unseduced, unterrified; ”

and in open town-meeting in Boston, in strains of eloquence which yet resound in the ears of all who heard him, threw into confusion and disarray the whole host of conventional oratory, and for that time defeated the whole project, and preserved his country from the calamity of that convention. I shall not be contradicted when I affirm that, on that occasion, Mr. Dexter himself represented the moral, intellectual, and patriotic worth of a very large portion of the Federal party in New England; and, from the frequent admissions of Mr. Harrison Gray Otis, that he himself was overpersuaded against his own judgment to attend the Convention, I am warranted in concluding that Mr. Dexter represented *his* sentiments in more effective reality than he himself did in giving his attendance at the Convention.

Of the final report of that assembly, I take it for granted he is to be considered as in the main the author. It underwent discussion and amendment in the Convention, and the first eight pages of it were, in the progress of the discussion, recommitted to the committee for reconsideration. As these eight pages contained the discussion of the question, whether

the time for a change, — that is, for a dissolution of the Union, — was then at hand, it would doubtless throw great light on the subject if we could possess the original draft of the report as it came from the hand of Mr. Otis, the amendments to it in committee at their first and second consideration of it, and those introduced into it by the discussions in the Convention. It can scarcely be doubted that Mr. Otis is in possession of all these papers; and it would be a service to the public, not inferior to that which he has rendered by giving publicity to the journal, if he would make them public also. There certainly were, among the members of the Convention, individuals much more ready to believe that the time for a change was then at hand than Mr. Otis; and if, from the characters and opinions of men, an inference might be drawn of the sentiments which they would express under that veil of inviolable secrecy which they had drawn around them, it is a conjecture not violent and disingenuous to the last degree, that some of the members did disclose those sentiments. The journal of the Convention does furnish plenary proof, first, of the pre-eminent part which Mr. Otis took in all the proceedings of the Convention, and of the great ascendancy which he exercised over them; and, secondly, that the overruling principle of the Convention was that the whole responsible measures of the Convention should be accommodated to the Bostonian system. The final report and the statement appended to it bear strongly the impress of Mr. Otis's mind and character. Boldness of assertion, severity of invective, refinement of insinuation, sophistical reasoning, and timidity of action, a conclusion at war with its premises, is the predominating characteristic of that State paper. I venture a surmise that the amendments which were introduced into it gave it rather a stronger tone than that of the original report; and it is not unworthy of remark that, with one or two exceptions, the members of the three responsible committees through which the final report was elaborated, were among the most moderate in their general views of the whole number.

We have seen, conclusively, that the object of the Conven-

tion, and the burden of their final report, was not — as is contended in the appeal, and as was contended in the numbers of "One of the Convention" in January, 1820 — measures of mutual defence by the New England States against the common enemy, unless by the common enemy was meant the government of the United States. We have seen, by the admission of Mr. Otis himself, that, if this had been the main object of the Convention, the act of Congress of 27th January, 1815, would have superseded the commission of the Convention itself; and that although that act had passed the House of Representatives before the Convention met, and passed the Senate two days after they adjourned, they did not even except it from the list of bills pending before Congress, against which they recommended resistance.

Let us now analyze the final report, and see if its burden, and the real object of the Convention, was not that which I have already stated. It commences with the following sentence: —

"The Convention is deeply impressed with a sense of the arduous nature of the commission which they were appointed to execute, of devising the means of defence against dangers, and of relief from oppressions, proceeding from the act of their own government, without violating constitutional principles, or disappointing the hopes of a suffering and injured people."

Here the main object of the Convention is set forth as might be expected at the threshold of the report. The composer of the confederate appeal has not thought it inconsistent with the courtesy of his character, to tell you of a passage in my answer to their letter, which passage, if you will take the trouble of reading it, I presume to say none of you will understand in a sense different from that in which I intended that it should be understood, that it is "eminent for its equivocation." I will not retort the charge upon this sentence; but I will point out to you that in its construction which asks for explanation. According to its natural and obvious grammatical import, the dangers against which it states that the Convention was appointed to devise means of relief, as

well as the oppressions, proceeded from the act of their own government. This is the sense in which every one will understand it at a first reading. This is the sense in which it will be understood after reading the whole report, and the resolutions with which it closed. For we have seen, upon the authority of the journal, that the committee to consider and report what measures it would be expedient to recommend to the States for their mutual defence, was not raised until after the final report had been accepted ; that this was a committee of three, of which Mr. Otis was not a member ; that they made a report which the journal says was read, accepted, and approved. But, unless this report consisted of the third of the resolutions appended to the final report, there is no other trace of it either in the journal or in the published proceedings of the Convention. And, if it was the third of those resolutions, then the whole burden of the final report of the committee of seven, which we are now analyzing, was of "dangers" and "oppressions" charged by the first sentence of the report as proceeding from the act of their own government.

To re-enforce this view of the subject, it will be observed, that the whole argument of the final report is exhausted upon the topics resulting in the first, second, and fourth resolutions at its close. Not a word is said, in the sentence we are examining, of a foreign enemy. Not a word is said in the report of measures of mutual defence against dangers from a foreign enemy. If the third resolution was not the report of the subsequent committee of three, it stands in the midst of the other resolutions, disconnected from the others, and from the whole argument of the report, in which there is not the slightest allusion to it.

If, therefore, you consider this first sentence according to its grammatical import, according to its connection with the whole argument of the report, and according to all the resolutions at its close, excepting the third, probably the work of another committee, — you will conclude its meaning was, that the dangers and oppressions from which it announces the Convention as the appointed redeemer, were dangers and



oppressions proceeding alike from the act of their own government; and that that was the only common enemy against whom the Convention was commissioned to devise means of defence and relief.

And yet there are two other senses in which this term "dangers" may be understood, each of which will give a different complexion to the whole sentence.

It might mean dangers proceeding exclusively from the foreign enemy; and this is the sense in which Mr. Otis evidently now wishes it to be understood. All his defences of the Hartford Convention now rest upon it.

It might mean dangers proceeding as well from the foreign enemy, as from the government of the Union.

And, lastly, there is a meaning which I believe it was intended to insinuate rather than to express; namely, that they were dangers proceeding from the foreign enemy, but for which the government of the Union was to be held exclusively responsible, not less than for its own oppressions; and that the action of the measures recommended to the State legislatures was to be directed exclusively against the government of the Union, equally with reference to the dangers and to the oppressions.

There is another point of view in which the real meaning of this first sentence, the burden of the report, and the main object of the Convention, may be more fully elucidated. The sentence under examination states it to be the arduous commission of the Convention to devise means of defence and of relief against dangers, and from oppressions, without violating constitutional principles.

Now, we have seen that there is one express provision of the Constitution of the United States, that no State shall enter into any treaty, alliance, or confederation, and another, that no State shall, without the consent of Congress, enter into any agreement or compact with another State. The second resolution, appended to the final report, does accordingly recommend to the legislatures to authorize an immediate and earnest application to the government of the United States, requesting their consent to some arrangement whereby

the said States might, separately or in concert, be empowered to assume upon themselves the defence of their territory against the enemy. Here it is clearly and very correctly implied that the consent of Congress was necessary to enable the States to assume upon themselves this defence in concert.

There appears a singular incongruity between this resolution and the third, which recommends to the State legislatures to do the very thing which, by the previous resolution, they were to apply for the consent of the government of the United States to enable them to do. If the third resolution stood by itself, it could not be conceived what occasion there could be for asking the consent recommended to be applied for in the second. This incongruity is in some degree accounted for, if (as I have shown to be probable) the third resolution was not originally a part of the final report, but was afterwards reported by the committee of three. Certain it is, that, in the body of the report, there is no reference to this third resolution whatever.

Setting this, then, aside, and the assertion in the first sentence of the report is, that the commission of the Convention was to devise means of defence against dangers, and of relief from oppressions, all proceeding from the act of their own government. The report corresponds entirely with this exposition of its first sentence. All the measures which it proposes, and upon which it enlarges, are measures against the government of the United States.

The remainder of the first paragraph contains general remarks upon the expediency or non-expediency of direct and open resistance, and a determination to change the Constitution. The inducements for and against such measures are stated with such a balancing precision, that I know of nothing comparable to it, except Touchstone's parallel between the advantages and disadvantages of a shepherd's life. After reading the paragraph, it remains exceedingly doubtful whether the report will recommend an immediate change of the Constitution or not. It says, for example, that, —

“To prescribe patience and firmness to those who are already exhausted by distress, is sometimes to drive them to despair.” That, —

"When abuses reduced to system, and accumulated through a course of years, have pervaded every department of government, and spread corruption through every region of the State; when these *are clothed with the forms of law*, and enforced by an Executive, whose will is their source, no summary means of relief can be applied without recourse to direct and open resistance."

Here the principle of direct and open resistance is asserted to be the only and necessary means of relief to be applied. The next sentence, however, gives some counterpoise to this very bold avowal of resistance; and the concluding sentence of the paragraph says:—

"Necessity alone can sanction a resort to this measure [direct and open resistance], and it should never be extended in duration or degree beyond the exigency, until the people, not merely in the fervor of sudden excitement, but after full deliberation, are determined to change the Constitution."

These are general remarks, applied to an assumed state of public affairs, which the report intends to be understood as representing that under which the Convention was assembled:—

1. They were to provide means of defence and of relief against their own government.

2. They were to authorize a direct and open resistance against laws of the Union.

3. They were to stop there until the people, after full deliberation, should be determined to change the Constitution.

In this paragraph, all the principles are laid down. The discussion then commences thus:—

"It is a truth not to be concealed, that a sentiment prevails to no inconsiderable extent that administration have given such construction to that instrument, and practised so many abuses under color of its authority, that the time for a change is at hand. Those who so believe, regard the evils which surround them as intrinsic and incurable defects in the Constitution. They yield to a persuasion that no change at any time, or on any occasion, can aggravate the misery of

their country. This opinion may ultimately prove to be correct. But as the evidence on which it rests is not yet conclusive, and as measures adopted on the assumption of its certainty might be irrevocable, some general considerations are submitted, in the hope of reconciling all to a course of moderation and firmness which may save them from the regret incident to sudden decisions, probably avert the evil, or at least insure consolation and success in the last resort."

This exposition of the object and purposes of the Convention is complete. It is taken, word for word, from the first and second pages of the final report; nor is there in all the remainder of the report, or in the resolutions appended to it, excepting that anomaly of the third resolution, a word showing any different object or purpose.

And where in all this do you find a single word about the defence of this part of the country against the foreign enemy? Read the whole proem, and ask yourselves whether it indicates the existence of a foreign enemy. Ask rather if it was possible that twenty-six men, citizens of the United States, should have put their names to a paper professing such purposes, with a foreign enemy in the heart of their country; and against the government and authority charged with the defence of their country; and against the very measures of defence which they were employing.

You are told that these twenty-six men represented whatever of moral, intellectual, or patriotic worth is to be found in the character of the New England community. The moral character of the individuals, so far as it relates to the concerns of private life, is not here in question; but a sweeping claim to all the morality, and all the intellect, and all the patriotism, of a large division of the Union is not very demonstrative, either of that benevolence, or even of that justice, which constitute essential parts of private morals. "Not like this republican" is read in characters rather too legible in the assumption for the humble and sublime standard of Christian morality. But let this pass. The members of the Convention were men of respectable private character, and, when claiming no especial privileges of high heroic virtue, may be admitted to

have been as good as their neighbors. They were almost all lawyers by profession, and in that profession there is as much moral integrity as in any other, with the exception perhaps of the clergy. The claim of pre-eminent intellect has perhaps more foundation than that of supererogatory virtue. They were most of them *eminent* lawyers, and that is a profession in which eminence cannot be obtained but by the exercise of powerful intellect. But the errors of intellect are precisely those which are the most pernicious to the welfare of communities. They are the infectious errors, which catch from man to man, till they walk like a pestilence in the city. With regard to the patriotism of the conventionists, their exclusive, or even their supereminent, claim is far more questionable. To an American citizen, patriotism is the love of the whole Union; for the whole Union is his country. There is nothing sectional, nothing of party spirit, nothing selfish, in its composition. The Hartford Convention represented exclusively a section. It represented exclusively a party, and that an extreme party; and, without imputing more than ordinary selfishness to its members, they were not men peculiarly remarkable for the humility of their pretensions or the self-denial of their ambition. Of Mr. Otis, the person in whom all the transactions of the Convention appear from the journal to have been concentrated, I say nothing, inasmuch as he has excepted himself from the claim of all-absorbing talent and virtue which he puts in for his colleagues.

The Convention represented the extreme portion of the Federalism of New England, — the party spirit of the school of Alexander Hamilton combined with the sectional Yankee spirit. I use this somewhat vulgar word, because, though somewhat humble in its original, it has gathered many a laurel in the field of glory, and because — like Brother Jonathan and Uncle Sam — it has an energy of significancy for which no other can be substituted. The Yankee spirit is a social spirit, and carries with it the fire of the flint. It was not well or naturally associated with the Federalism of Alexander Hamilton; and he himself once complained of it as clannish. And so it was, and that was its inherent defect. In itself it

was good: it was the distillation from the spirit of the Puritan fathers of New England; but it was not American patriotism; on the contrary, it was that virtue which, in its excess, turns to vice.

" Most dangerous  
Is that temptation which doth lead us on  
To sin in loving virtue."

But with this spirit was associated the ultra-Federalism of Hamilton, execrating Mr. Jefferson and all his principles and administration; hating Mr. Madison and my father, whom they had sacrificed to Hamilton and his policy seventeen years before. This was the composition; and this was not patriotism. It was the very reverse.

This coalition of Hamiltonian Federalism with the Yankee spirit had produced as incongruous and absurd a system of politics as ever was exhibited in the vagaries of the human mind. It was compounded of the following prejudices:—

1. An utter detestation of the French Revolution and of France, and a corresponding excess of attachment to Great Britain, as the only barrier against the universal, dreaded empire of France.

2. A strong aversion to republics and republican government, with a profound impression that our experiment of a confederated republic had failed for want of virtue in the people.

3. A deep jealousy of the Southern and Western States, and a strong disgust at the effect of the slave representation in the Constitution of the United States.

4. A belief that Mr. Jefferson and Mr. Madison were servilely devoted to France, and under French influence.

Every one of these sentiments weakened the attachments of those who held them to the Union, and consequently their patriotism. The sentiment itself, in a great measure, changed its object. The feeling against the general administration was so strong that it extended itself to the States and people by which it was supported; and all the impulses of patriotism became concentrated upon New England; and the temper of hostility, instead of patriotism, connected itself with every

thought of the general government. All these opinions will be found disclosed in the vivid and forcible language of Fisher Ames, in the volume of his works which was published shortly after his death. I refer you particularly to the essay in it entitled "Dangers of American Liberty," for a full exposition of this system of opinions.

These were the opinions, aggravated by the pressure of the embargo, and afterwards of the war, represented by the Hartford Convention; but they were still not entertained by a large portion of the Federal party, — by very few to the degree of those represented in the Convention. They were utterly and totally disapproved by the whole Republican party.

It will, therefore, not be surprising that the final report of the Convention begins its calculation of the value of the Union by the explicit declaration, that a sentiment prevailed to no inconsiderable extent that the time for a change was at hand, and that the causes of it were intrinsic and incurable defects in the Constitution. The Convention say that "this opinion may ultimately prove to be correct:" but they think the evidence of it not yet conclusive; and, to avoid the danger of precipitate and irrevocable measures, they propose a course which may probably avert the evil, or at least insure consolation and success in the last resort.

But who were those among whom prevailed to no inconsiderable extent the sentiment that the time for a change was at hand, because of intrinsic and incurable defects in the Constitution? They were, assuredly, none of the Republican party; no such sentiment prevailed among them. It was those of the party represented by the Convention itself. Among *them*, the report says, the sentiment prevailed to no inconsiderable extent. The party were then divided among themselves; even the party comprising whatever of moral, intellectual, or patriotic worth was to be found in the character of the New England community, were divided among themselves upon no less a question than whether the time for a dissolution of the Union, for intrinsic and incurable defects in the Constitution, was or was not at hand.

The opinion of the Convention itself is distinctly expressed, — that the time for this change was “not yet” at hand; and they present an argument containing their reasons for coming to that conclusion, the object of which they declare to be the hope of reconciling *all* to a course of moderation and firmness, which might save them from the regret incident to sudden decisions, probably avert the evil, or at least insure consolation and success in the last resort.

A question occurs, who the report means here by the word “all.” Certainly not all the people of the Union; as surely, not all the people of New England, one-half, at least, of whom, far from needing dissuasives from projects of disunion, would, if the Convention had proposed such a measure, have been ready to march with their lives and fortunes in defence of the Union. The *all*, therefore, whom the Convention hoped to reconcile to their proposed course of moderation and firmness, was no more than that portion of the party represented by themselves who believed that the time for a change was at hand; that the defects of the Constitution of the United States were intrinsic and incurable, and who expected from the Convention, instead of the half-measures which they did recommend, a declaration of New England independence and a constitution for the new Federal edifice.

By that portion of the party, measures to this effect were expected from the Convention. The report says that the sentiment prevailed to no inconsiderable extent. To such an extent did it prevail, that, while the Convention were in session, another convention was held of inn-holders in the counties of Hampshire, Franklin, and Hampden, at Northampton, — the residence of the Governor of Massachusetts, — who passed and published a resolution that they would not take out their annual licenses at the new year, and pay the duties upon them, until the decision of the Hartford Convention should be known.

The opinion that a secession from the Union and the formation of a new confederation was the main object for which the Hartford Convention was convened, was, indeed, far more extensively entertained than by those who thought that the



time for a change was at hand. It was entertained very extensively by the enemies of the measure, — by the true republicans, the friends of the Union and of its administration. It was the opinion, probably, of a great majority of all parties. It was the object which, in 1809, when the Convention was first proposed in the legislature of Massachusetts, John Henry had informed the Governor-General at Quebec, would be its purpose; and you have seen that John Henry spoke from intimately confidential communications with persons then in that legislature. It was the object announced from the pulpit on a day of solemn fast for the war, appointed by the Governor of Massachusetts in July, 1812; it was the object urged in a long succession of sermons, newspaper essays, and pamphlets, for a series of years; and it was the belief and fear that this was its object which constituted the inextinguishable aversion to it of the friends of the Union. So general was this opinion, that, if the object of the Convention had been as is now represented to you, — merely the defence of this part of the country against the foreign enemy, — the first and most solemn duty of the Convention would have been to issue a public and explicit declaration to disabuse both their friends and foes, — to declare that a division of the Union would form no part of their deliberations, but that they unanimously viewed every movement towards that end with sincere and unqualified abhorrence.

That this almost universal expectation; that these formal annunciations and instigations from the sanctuary of the pulpit; that this succession of inflammatory publications in the newspapers and pamphlets, for a series of years, — afford no evidence of a design in any leader of a party to produce a dissolution of the Union and a new confederacy, is the Sisyphean labor which Mr. Otis has more than once undertaken to perform; and the charge for which I am brought before you, fellow-citizens, as an unjust accuser, is no other than for having asserted that there was in certain leaders of the Federal party such a design. I have shown you that such a design did exist in 1804, and was then attended by action. That the Hartford Convention was the result of the same

design, I fully believe ; that all the members of the Convention participated in the design, I do not undertake to say. Mr. Otis may, perhaps, intend to claim some distinction between those who entertained the sentiment that the time for a change was at hand, on account of the intrinsic and incurable defects of the Constitution, and those who *designed* the change ; but those who, as the report says, to no inconsiderable extent entertained the sentiment, were certainly prepared to give effect to that sentiment by action ; and the Hartford Convention itself was, of all possible measures, that most adapted to the accomplishment of the purpose.

The existence of the Convention itself was a violation of the Constitution.

The final report does not formally propose a secession from the Union ; but every other proposition contained in it looks to that end.

The argument against an immediate dissolution of the Union is an argument, not of principle, but of expediency. It admits all the premises of those who believed that the time for a change was at hand, except that the defects of the Constitution were incurable ; it admits that even this opinion may ultimately prove to be correct ; it urges that a dissolution of the Union should not, unless absolutely necessary, be effected in time of war, and that the proof of this absolute necessity is not yet conclusive ; it presents the danger of precipitate measures (which the state of the negotiation at Ghent, as then known to the Convention, fully accounts for), and expressly says some new form of confederacy should be substituted among those States which shall intend to maintain a federal relation to each other ; it even says that, if the Union be destined to dissolution by reason of multiplied abuses of bad administration, it should, if possible, be the work of peaceable times and deliberate consent. That "if possible" is happily put in ; for how the multiplied abuses of bad administration could proceed to such an extent as to produce the deliberate consent of the whole Union to its own dissolution, and that in peaceable times, it would have puzzled the representatives of all the intellectual worth of the New

England character to explain. It sounds to me as if the Convention had said: If the Union be destined to dissolution for good cause, it should, if possible, be the work of times when there shall be no connection between cause and effect, or of times when there shall be no cause for it at all.

The argument, however, explicitly admits that a severance of the Union by one or more States, against the will of the the rest, and in time of war, can be justified by absolute necessity; and the whole argument of the report upon this topic is to show, that the proof of the existence of this absolute necessity was not yet complete.

The argument, therefore, is not an argument in favor of the Union, but against an immediate and precipitate dissolution. Not a single consideration is presented to show its transcendent importance to every individual, to every family, to every community, throughout this nation; nor even to show its importance to the people of New England. Not a glance is cast at the pang which every American patriot must feel at the dissolution of the tie by which the inhabitants of Massachusetts and Louisiana salute each other as countrymen; not a hint at the civil and political immunities enjoyed by every individual citizen of a New England State by virtue of that provision of the Constitution which secures to him all the rights of a citizen in every other State; not an allusion to the consequences of a separation, — frequent, inevitable border wars, alliances and counter-alliances of partial confederacies against each other, leagues with rival European powers, and alliances entangling all the parts of separated America with the whole system of European wars; nothing of the inevitable consequences to liberty, — of the standing armies which each of the partial confederacies would be compelled to keep up against each other, of the mutual spirit of encroachment upon each other's territories, and of conquest, which would necessarily follow from their relative situations, of the fire of individual ambition which would be kindled by the same cause, and of the Napoleons, the Bolivars, and the Yturbides, commencing as liberators and ending as dictators, in dungeons or on the scaffold, — of all this, written upon a disso-

lution of this Union for the future as legibly as upon all human history for the past, not one solitary conception is to be found in the final report of the Hartford Convention.

The considerations presented by that report for a postponement, momentary or final, of the dissolution of the Union, are three, and no more:—

1. The prosperous administration of the general government when in Federal hands.

2. The chance, not yet desperate, that the Federalists might recover the reins of power, by the dismission and disgrace of Mr. Madison's administration.

3. The expediency of waiting for peaceable times, and a dissolution of the Union by common consent.

It would have been impossible to place the defence of the Union (if this can, even in imagination, be admitted as intended for a defence of the Union) upon weaker grounds.

The great and prosperous change which had taken place in the affairs of the nation under the Federal administration (and very great it was) was owing, pre-eminently owing, to the Constitution itself, to the more perfect union of the people which had been effected by it, and most especially to the powers of Congress which the amendments recommended by the Hartford Convention proposed to take away.

The administration of President Washington, pure and virtuous as it always was, had neither been harmonious, nor (as an administration) remarkably prosperous nor satisfactory to more than half the people. Mr. Jefferson had retired from it in disgust; General Hamilton and General Knox, in disappointment; Mr. Randolph had been extruded from it in humiliation; and Mr. Monroe recalled from France in displeasure. Of our relations abroad, one of the signers to the confederate appeal can tell you how he thought upon the occasion of Mr. Jay's treaty. Of our relations at home, an insurrection in Pennsylvania, half-stifled only by military power, affords significant indication. The succeeding administration was not more fortunate within itself: it was overthrown by its intestine divisions. At the moment of his death, General Washington was about to receive a solicitation

to permit himself to be supported as a candidate against the re-election of the head of that administration ; and a rival candidate was actually supported against him by a pamphlet of General Hamilton.

The picture which the report draws of the reverse in the situation and circumstances of the country, under the administrations of Mr. Jefferson and Mr. Madison, is still more overcharged, though with opposite coloring. With the exception of the injuries sustained by the nation from the injustice of foreign powers, the administration of Mr. Jefferson had been more successful, more prosperous for the country, and more generally satisfactory to the people, than that of either of his predecessors. Many of the acts which the Hartford Convention considered as among its aggravated offences were, by a great majority of the people, viewed as its principal merits. The government had passed into the hands of Mr. Madison at the moment of its greatest embarrassments from these foreign wrongs. They had kindled into war ; six months after the declaration of which, and two years before the Hartford Convention, Mr. Madison had been re-elected by a large majority to the Presidency, against the united exertions of a peace party.

The chance that the Federalists should recover their power by the dismissal and disgrace of Mr. Madison was so exceedingly remote and desperate, that the assignment of it as a motive for the continuance a little longer of the experiment of the Union cannot, without some effort of credulity, be believed serious. To render it almost ludicrous, the report dwells with much earnestness upon prospects of a reformation of public opinion favorable to this recovery of Federal ascendancy in the Southern Atlantic States ; and, by way of encouraging these prospects, the Convention propose and insist upon two amendments of the Constitution, — one to take away from them their slave representation, and the other to restrict the power of Congress to admit new States into the Union. Yet these are all the inducements presented for a permanent continuance of the Union ; for the third consideration is a disquisition upon the most favorable time

for effecting a dissolution of the Union by common consent, — and a remarkable disquisition it is.

After saying that it should, if possible, be the work of peaceable times and deliberate consent, and that some new form of confederacy should be substituted among those States which shall intend to maintain a Federal relation to each other, it proceeds thus: "Events may prove that the causes of our calamities are deep and permanent. They may be found to proceed, not merely from the blindness of prejudice, pride of opinion, violence of party spirit, or the confusion of the times; but they may be traced to implacable combinations of individuals or of States to monopolize power and office, and to trample without remorse upon the rights and interests of commercial sections of the Union."

Here is presented, very distinctly, to the people of New England, an eventual common enemy. And what is to be done with him?

"Whenever it shall appear that these causes are radical and permanent, a separation by equitable arrangement will be preferable to an alliance by constraint among nominal friends, but real enemies, inflamed by mutual hatred and jealousies, and inviting, by intestine divisions, contempt and aggression from abroad."

The latter end of this Commonwealth forgets its beginning. These implacable combinations with their execrable purposes are represented as then existing; the only inquiry was, whether these causes were radical and permanent. Events might prove them so; and then — you will make equitable arrangements, in peaceable times, with these implacable and remorseless combinations, for a separation by common consent. You see a highwayman with a pistol at your breast; and you propose to him an equitable arrangement for departing in peace, by mutual consent. Assuming for a moment the imaginary state of things presented here as real or probable, — deep and permanent implacable combinations of individuals or of States to monopolize power and office, and to trample without remorse upon the rights and interests of the commercial sections of the Union, — and I ask if it is within the possibilities of

human events that, in such a temper of the parties and such a condition of the country, a dissolution of the Union should be effected by equitable arrangements, and by common consent?

If absurdity of reasoning were the only thing with which this passage of the report is chargeable, it might well be inquired how twenty-six among the most intelligent citizens of New England could sign their names to a paper containing it. But this is a part of the report which its presumed author has presented to you as a defence of the Union, — an earnest defence of the Union, comparable only to that of Washington's Farewell Address ; and, after this passage, — after this array of objections against precipitate measures tending to disunite the States, — the report says that, when examined in connection with the Farewell Address of the Father of his Country, they must, it is believed, be deemed conclusive.

The hesitating language of this conclusion is sufficiently characteristic of the whole argument, — an argument not against the dissolution nor in favor of the Union, but against precipitate measures for dissolving it. The transient allusion to the advice in Washington's Farewell Address, at the close, is evidently because it could not be avoided, and to insinuate that there is nothing in their own advice contrary to it. But they carefully avoid quoting the advice itself, which called upon you to frown indignantly upon the first advance towards that of which the Hartford Convention was so near the close.

But the strongest objection to this passage is not its absurdity. When men of keen intelligence utter absurdities, they cannot expect to escape from the inquiry why they do so ; and here the answer is obvious. The purpose was to inflame that hatred and those jealousies which, they say, must necessarily lead to a separation of the States ; to stimulate the animosities and ranklings of the people of New England, by the representation that these implacable combinations to monopolize power and office, and to trample without remorse upon the rights and interests of commercial sections of the Union, did exist ; that they were the causes of the calamities which they (the people of New England) were then suffering ;

and that their only motive for clinging a little longer to the Union would be to ascertain whether these causes were permanent, or whether the conventionists themselves and their confederates might vault into the administration of the general government by the dismissal and disgrace of Mr. Madison and his Cabinet.

Thus, then, from this complete analysis of all that part of the final report of the Hartford Convention with which it commences, as with the most important object of their deliberations, it resolves itself into a single argument, not in favor of the Union, nor against its dissolution, but merely to reconcile those who were even then prepared for that measure to a little patience, — to wait and see whether, by the dismissal and disgrace of Mr. Madison and his administration, the general government might not be restored to Federal hands: That the principal fact upon which they urged this patience was a prospect of a revolution of popular opinion in favor of the Federalists in the South Atlantic States, which it was proper to encourage; and their expedient for giving this encouragement was peremptorily to demand two amendments to the Constitution to annihilate the relative weight in the Union of these same Southern States. Was there ever such an adaptation of means to ends?

I ask not what all this has to do with the defence of this part of the country against the foreign enemy: I proceed to the topics next discussed in the report.

After settling the point, that the Union was not to be immediately dissolved, the report says the Convention proceeded to confer and deliberate upon the alarming state of public affairs. Here, to be sure, you will find something like reference to the defence of the country against a foreign enemy? Not at all, or, at least, no otherwise than as means of action against their own government. They say, —

“ They are naturally led to a consideration, in the first place, of the dangers and grievances which menace an immediate or speedy pressure, with a view of suggesting means of present relief; in the next place, of such as are of a more remote and general description, in the hope of attaining future security.”



Among the subjects of complaint and apprehension which might be comprised under the former of these propositions, the attention of the Convention has been occupied with the claims and pretensions advanced and the authority exercised over the militia by the executive and legislative departments of the national government; also, upon the destitution of the means of defence in which the Eastern States are left, while at the same time they are doomed to heavy requisitions of men and money for national objects.

Then follows a review of all the measures authorized or contemplated by the general government, not only for the employment of the militia, but even for raising men to serve in the war by sea or land. In this review are included laws of the United States, bills then before Congress, measures of the executive government, reports of the Secretaries of War and of the Navy, and even a motion in the House of Representatives of the United States. All these are included among the dangers and grievances menacing immediate or speedy pressure, and for which the Convention felt themselves called to suggest means of present relief; all these are represented as odious features of a novel system, unconstitutional, oppressive, and tyrannical: not a single word about the foreign enemy.

The concluding paragraph, after the whole review, is as follows:—

“In this whole series of devices and measures for raising men, this Convention discern a total disregard for the Constitution, and a disposition to violate its provisions, demanding from the individual States a firm and decided opposition. An iron despotism can impose no harder servitude upon the citizen, than to force him from his home and his occupation, to wage offensive wars undertaken to gratify the pride or passions of his master. The example of France has recently shown that a cabal of individuals, assuming to act in the name of the people, may transform the great body of citizens into soldiers, and deliver them over into the hands of a single tyrant. No war, not held in just abhorrence by a people, can require the aid of such stratagems to recruit an army. Had

the troops already raised, and in great numbers sacrificed upon the frontiers of Canada, been employed for the defence of the country, and had the millions which have been squandered with shameless profusion been appropriated to their payment, to the protection of the coast and to the naval service, there would have been no occasion for unconstitutional expedients. Even at this late hour, let government leave to New England the remnant of her resources, and she is ready and able to defend her territory, and to resign the glories and advantages of the border war to those who are determined to persist in its prosecution."

At last we have an allusion to the foreign enemy, and it is perfectly characteristic of the spirit of the whole report. The proposition in the last sentence is, that government should leave New England the remnant of her resources. This is of itself a proposition of a separation from the Union, and of a New England confederacy. The only remnant of her resources which government could leave to New England was the men and money derived by the general government from her; and the proposition is, that, if the general government will leave her these, she, New England, will ask for no defence from the Union. She is ready and able to defend her territory; and of course this could be done only by a separate confederation. The closing part of the sentence, the keen and cutting sarcasm of the readiness of New England to resign the glories and advantages of the border war, you will fully understand when you recollect that it was written almost immediately after the memorable victory of McDonough upon Lake Champlain, and the repulse of Sir George Prevost upon Plattsburg. These were the glories and advantages which the Convention declare that New England was so ready to resign. And *this* was the representation of the whole patriotic worth of the New England character.

I shall not comment on the former part of the paragraph: the iron despotism; the recent example of France; the war held in just abhorrence by a people; the troops sacrificed upon the frontier of Canada; the shameless profusion; the pride and passions of a master; the single tyrant; and the other

flowers of vituperative eloquence in this garden of sweets,—  
I leave, fellow-citizens, to

"Come o'er you like the sweet South,  
That breathes upon a bank of violets,  
Stealing and giving odor;"

reminding you only that the quintessence from it all is, that the whole series of these measures of the general government for the defence of the country against the foreign enemy demand from the individual States a firm and decided opposition as unconstitutional.

Then comes the declaration: "That acts of Congress in violation of the Constitution are absolutely void is an undeniable position." And from this assertion, coupled with the purport of the preceding paragraph, that all the devices and measures of the general government for raising men were unconstitutional, and demanded from the individual States a firm and decided opposition, you naturally expect an explicit recommendation to the State legislatures to authorize resistance against them all. But no: the better part of valor now steps in, and a paragraph ensues, half blunderbuss and thunder, half meekness and submission. It says, —

"It does not, however, consist with the respect and forbearance due from a confederate State towards the general government to fly to open resistance upon every infraction of the Constitution. The mode and the energy of the opposition should always conform to the nature of the violation, the intention of its authors, the extent of the injury inflicted, the determination manifested to persist in it, and the danger of delay. But in cases of deliberate, dangerous, and palpable infractions of the Constitution, affecting the sovereignty of a State and liberties of the people, it is not only the right but the duty of such a State to interpose its authority for their protection in the manner best calculated to secure that end. When emergencies occur which are either beyond the reach of the judicial tribunals, or too pressing to admit of the delay incident to their forms, States which have no common umpire must be their own judges, and execute their own decisions.

It will thus be proper for the several States to await the ultimate disposal of the obnoxious measures recommended by the Secretary of War or pending before Congress, and so to use their power, according to the character these measures shall finally assume, as effectually to protect their own sovereignty and the rights and liberties of their citizens."

Here it would seem as if the actual recommendation to the State legislatures to pass laws authorizing direct and open resistance against a law of the Union, was only contingent and eventual upon the adoption by Congress of the plan proposed by the Secretary of War. But this passage must be read in connection with the first resolution at the close of the report, which is in the following words, —

"Resolved, that it be, and hereby is, recommended to the legislatures of the several States represented in this Convention to adopt all such measures as may be necessary effectually to protect the citizens of said States from the operation and effects of all acts which have been or may be passed by the Congress of the United States which shall contain provisions subjecting the militia or other citizens to forcible drafts, conscriptions, or impressments, not authorized by the Constitution of the United States."

This is direct and open resistance to acts of Congress which had passed, as well as to such as might be passed; and yet, taking the resolution and the passage of the report upon which it is founded together, it would not be surprising if you should now be told by the author of both that no such act of Congress had passed, and that the resolution was nothing more than a menace, — a *brutum fulmen* pointed at the reported plan of the Secretary of War.

The resolution, however, is a direct recommendation to the legislatures represented in the Convention to pass laws authorizing direct and open resistance to laws of Congress which had passed. These laws were the acts of Congress to raise men for the defence of the country against the foreign enemy; and the only effect such State laws could have had would have been to disorganize and ruin that defence. Let it be further observed, that there was not the remotest neces-

sity for the interposition of the State legislatures ; inasmuch as, if any of the provisions of the acts of Congress for raising men had been unconstitutional, the case was susceptible of being brought immediately before the judges of the Supreme Court of the United States upon *habeas corpus* ; and any man taken by any such unconstitutional process would have been

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for encouraging  
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299

and the resolution itself the Constitution of the separate States has given authority to declare acts in its nature a judicial act contested by others, Hartford Convention could have given coun-

es says, —

of the United States thereof, shall be the judges in every State the constitution or laws binding." Art. 6.

press assumption that the constitution or laws of a State contrary to laws of the United States, made in pursuance of their Constitution ; and it declares all such things in the State constitutions and laws null and void. It commands and requires the judges in every State, in every such conflict, to decide in favor of the law of Congress, and against the constitution or law of the State. Now, if the legislature of the State has the power to decide what law of Congress is or is not made in pursuance of the Constitution of the United States, this article is a dead letter. It provides expressly for the case of a conflict between a law of the United States and a law of the State ; and it commands the judges of the State, in every such case, to consider the law of Congress as the supreme law of the land, and the law of the State as null and void. There is, therefore, not only no reservation to the State

legislatures of a right to pass laws contrary to laws of Congress ; but there is a solemn declaration by the people of the United States that, if the legislatures do pass such laws, they shall be null and void, and their own judges shall be bound to decide against them. The action of this article of the Constitution of the United States is not directly upon their own judiciary, but expressly upon the State judges ; and it binds them totally to disregard any law of the State legislatures conflicting with a law of Congress.

If, therefore, the legislatures of the States represented in the Hartford Convention had passed the laws recommended by the Convention, the judges in every one of the States would have been bound to consider the law of Congress as the supreme law of the land, and the State law as null and void. This was the only barrier which would have been left between the Union and civil war ; for it is obvious that, if you suppose the case which the recommendation of the Hartford Convention must have produced, — a law of Congress sustained by the executive and judiciary of the Union, and laws of the five New England States sustained by their executive and judiciary authorities, and bearing in direct conflict against each other upon their citizens, — the immediate effect must and would have been civil war ; and this was, to all intents and purposes, recommended by this resolution of the Hartford Convention.

Fellow-citizens, if there be on this side of the grave a subject of deep and awful solemnity to you all, it is this. Here, in this first resolution appended to the final report of the Hartford Convention, is the last result of that project which had been fermenting in New England at least from the spring of the year 1804 until January, 1815. Here it is in its nakedness before you. It is a recommendation to the legislatures of the five New England States to pass laws for the protection of their citizens, in direct and open resistance against existing acts of Congress, — against the supreme law of the land. This is what I had told my friend, Mr. Quincy, on the 1st February, 1808, it would come to. This is what, in

November and December of the same year, I wrote to Esau-kiel Bacon would be the issue, and which Mr. Jefferson's memory mistook for a personal communication to himself. This is what I wrote to William Plumer, in August, 1800, would be the consequence of that system of measures pursued by the same men who presided over the deliberations of the Hartford Convention; and what, in 1811, I wrote to a friend in a letter, the extract of which was published in the second volume of Mr. Austin's "Life of Elbridge Gerry."<sup>1</sup> To resist and defeat that system of measures has been the greatest struggle of my life. It was that to which I have made the greatest sacrifices, and for which I have received, in the support and confidence of my country, the most ample rewards. That system of measures terminated in the Hartford Convention. The peace of Ghent extinguished it for ever, and proved to demonstration, beyond the power of human cavil, that the causes of those calamities which the Hartford Convention alleged as grounds of resistance against the laws of the Union were in the aggression of foreign powers, and not in the administrations of Mr. Jefferson and Mr. Madison.

This, then, is the first result of the deliberations of the Hartford Convention,—a recommendation to the legislatures of the five New England States to pass laws for the effective protection of their citizens against existing laws of the Union enacted for the defence of the country. Had the war continued, and that recommendation been carried into execution, I ask what else could have ensued but a dissolution of the Union and civil war? It is impossible for the people of this nation to fix their eyes too steadily upon this question. Since the existence of the Constitution, this is the only occasion upon which that of our confederacy has been brought into the most imminent danger by that deadly distemper to all ancient confederacies,—the conflict between the members and the head. The disapprobation of yourselves and of your posterity at this attempt will be to you the strongest of all securities against its repetition.

<sup>1</sup> The letter was not to Mr. Gerry, nor did I know that either he or Mr. Austin were in possession of the extract from it till it appeared published in that work.

It is after this recommendation, if not of direct civil war, of that which is yet to be explained, that the report takes up the second subject of discussion, — the means of defence against the foreign enemy.

"This naturally leads," says the report, "to the inquiries whether any expectations can be reasonably entertained that adequate provision for the defence of the Eastern States will be made by the national government? whether the several States can, from their own resources, provide for self-defence, and fulfil the requisitions which are to be expected for the national treasury? and generally, what course of conduct ought to be adopted by those States in relation to the great object of defence?"

To ascertain the object of the discussion, please to observe the order in which it is presented, and the topics of which it consists. It professes to be an inquiry as to the means of defence against the common enemy. It is no such thing. It is a dissertation to prove, first, that the Eastern States will not be adequately defended by the national government; secondly, that they cannot defend themselves, and at the same time furnish the contributions required of them by the general government. And these two positions being established after their own manner, the conclusion is that the Eastern States must and will appropriate and use their own resources for their own defence.

A separation of the Union and a new confederacy are here marked out, if not in open and direct language, at least in terms which it is impossible to misunderstand.

The language is as follows: —

After stating, in the most decisive manner, that no expectation can be entertained of adequate defence by the general government, and that these States (the New England States) have no capacity of defraying the expense requisite for their own protection, and at the same time of discharging the demands of the national treasury, it proceeds thus: —

"The last inquiry, what course of conduct ought to be adopted by the aggrieved States, is in a high degree momentous. When a great and brave people shall feel themselves



deserted by their government, and reduced to the necessity either of submission to a foreign enemy or of appropriating to their own use those means of defence which are indispensable to self-preservation, they cannot consent to wait passive spectators of approaching ruin which it is in their power to avert, and to resign the last remnant of their industrious earnings to be dissipated in support of measures destructive of the best interests of the nation.

"The Convention will not trust themselves to express their conviction of the catastrophe to which such a state of things inevitably tends."

No: the Convention will not trust themselves to express the conclusion from their own premises. And why will they not trust themselves to say that which they intend you shall understand as their meaning? Is it because their meaning is ambiguous or equivocal? It is this very shrinking back from the expression of their intent which renders this one of the most memorable State papers that ever was composed. Read the whole of it attentively, fellow-citizens, and when you come to this passage, remember that it is the result of that inquiry which the author of the report has so often insisted constituted its main burden, — the means of defence against a foreign enemy. Ask yourselves why is it that this Convention of twenty-six persons, delegated from five States in this Union, in the midst of a formidable war, to devise means of defence against the foreign enemy, after having first come to the result of recommending explicitly to the State legislatures to protect their citizens against the execution of laws of Congress for the common defence, and after having settled that no defence is to be expected from the government of the Union, can themselves devise no other means of defence than such as they dare not trust themselves to express.

If you ask yourselves this question, it will not be necessary to go to the Searcher of hearts for the answer. It is too plainly written both in the preceding and subsequent pages of the report. The answer is a dissolution of the Union and civil war. A dissolution of the Union by the forcible seizure of the means of defence intrusted by the Constitution of the

United States to the general government, and the appropriation of them by the people of the Eastern States to their own defence. Well might the Convention shrink from the expression of their own convictions. But, if they are not here fairly represented, let the author of the report tell you what they were.

But after thus leading their constituents to the very border of the precipice, and in this manner starting back from it themselves, they propose an expedient for averting this catastrophe at which they had not dared to look. This expedient they usher in with all suitable solemnity. Conscious, they say, of their high responsibility to God and their country, solicitous for the continuance of the Union as well as the sovereignty of the States, unwilling to furnish obstacles to peace, resolute never to submit to a foreign enemy, and confiding in the divine care and protection, — they will, until the last hope shall be extinguished, endeavor to avert such consequences. With this view they suggest an arrangement which constitutes the second resolution at the close of their report; which, like the first resolution, shall be given in their own words, —

“Resolved, that it be, and hereby is, recommended to the said legislatures to authorize an immediate and earnest application to be made to the government of the United States, requesting their consent to some arrangement whereby the said States may separately or in concert be empowered to assume upon themselves the defence of their territory against the enemy; and a reasonable portion of the taxes collected within said States may be paid into the respective treasuries thereof, and appropriated to the payment of the balance due said States and to the future defence of the same. The amount so paid into the said treasuries to be credited, and the disbursements made as aforesaid to be charged to the United States.”

To see in its full extent the whole system of measures intended by the Convention as inferrible from the report, the co-operative effect of the resolutions at the close of the report, had those resolutions been carried into effect by the State legislatures, is to be considered as that effect would have

received its direction from the argument of the report. Had the laws recommended by the first resolution been enacted by the State legislatures, one of two consequences must have been the immediate result. Either the general government must have ceased to attempt the execution of the resisted laws,—and, as they were the laws for raising men to defend the country, they must in those States have abandoned that defence altogether,—or they must have attempted to carry their own laws into execution by force; which, with the resistance recommended by the States, would have been civil war; and, in either case, the Union would have been *quoad hoc* dissolved. The condition of the parties would not have been that of a confederated body governed by the harmonious operation of two concurring authorities, but that of two separate confederations *de facto* in a state of war against each other. For this state of things no provision is made in the Constitution of the United States. The provisions against its occurrence existed, but had proved ineffectual. There is no reservation in the constitution of any one State of a power to its legislature to pass such laws or to place the people of the State in such a position towards the rest of the Union.

There was, however, yet one authority which would have been exercised by the general government, had the resistance of the States been confined to the extent of the recommendation in the first resolution of the Convention,—the authority of collecting revenue. The object of the second resolution was to take away that. The means, indeed, by which the second resolution proposed to accomplish this measure, and the resolution itself, bear indelible marks of that indecision and faltering consciousness of wrong which exhibit in such strong contrast the arguments of the report and the action in which they result. In this case, the argument of the report led, as we have seen, to the conclusion, that the people of the States represented in the Convention would seize by force the revenue raised by authority of the United States, and appropriate the same to their own defence. It had established as premises, first, that the general government had abandoned the defence of the New England States, and

that there was no reasonable expectation that they would, or even that they could, resume it; secondly, that the New England States could defend themselves, if left in possession of their own resources, but had not the capacity to defend themselves and also contribute to the revenue of the Union. And then it had hypothetically supposed such a state of things as that which they had previously described as really existing, and had inferred that the people would not consent to wait passive spectators of approaching ruin which it was in their power to avert, but would appropriate to their own use those means of defence which were indispensable to self-preservation.

This is the opening to that catastrophe to which the Convention themselves declare their conviction that the state of things inevitably tended, but which they would not trust themselves to express.

Let it not escape your observation that the first of the premises upon which the Convention had brought themselves and their constituents to the edge of this catastrophe — namely, that the general government had abandoned the defence of New England — was totally without foundation. This is not only proved to the completest demonstration in the papers signed "Massachusetts" published in the "National Intelligencer" of January and February, 1820, in answer to the numbers of "One of the Convention," but it is proved by "One of the Convention" himself. The following is an extract from his seventh and concluding number. He is replying to objections against the party measures in New England itself to cripple the means of defence employed by the general government; and, after noticing and endeavoring to refute the charge of combination to defeat the loans and the banking operations of the general government, he says, —

"There is more color of truth in the accusation of their withdrawing the militia from the service of the United States; yet it is merely color. The militia were not withheld from the service, but, in some instances, from the command of officers of the United States, — at first through constitutional doubts in the Executive, and latterly, when those doubts

were surmounted or waived, through difficulties and collisions among officers and men which the executives of those States could not reconcile or control. But the service never suffered for an instant. The militia was constantly in requisition and on the alert; and such was the intelligence subsisting and the arrangements made between the executive of Massachusetts and the principal officers of the navy and army of the United States for acting in concert, when occasion should require, as placed the country in the best possible state of defence with the means at their disposal."

Fellow-citizens, is this picture from the same hand which drew up the final report of the Hartford Convention? Are these constitutional doubts of the Executive, which had been surmounted or waived, the same doubts on which the first resolution of the Convention recommended to the legislatures of the States to pass laws protecting their citizens in effective resistance against the doubted or no longer doubted authority? Is this readiness and alacrity of the militia, this harmonious concurrence for the common defence between the executive of Massachusetts and the principal officers of the navy and army of the United States,—is this best possible state of defence with the means at their disposal,—is this the abandonment by the general government of the defence of New England which would have warranted the people in seizing and appropriating to their own use, and for purposes of self-defence, the revenues of the general government? In this counterfeit presentment of two brothers, whom are you to believe,—the reporter of the Hartford Convention in 1815, or "One of the Convention" in 1820?

I trust you will believe that the representation of 1815 was without foundation; that the general government had not abandoned the defence of New England; and, consequently, that the violent measures which the report presents as consequences inevitably resulting from the state of things, were utterly unjustifiable.

Still, let us contemplate the measures recommended by the Convention. The defence of New England had not been abandoned by the general government; but it had been greatly

weakened, and had been rendered inefficient, by that very refusal of the Governor of Massachusetts to place the militia under the command of the officers of the United States. You are told that the Governor of Massachusetts had waived or surmounted his objections to this, and that the obstacles afterwards arose from the militia themselves. But the first resolution of the Convention recommended resistance against it, under legislative sanction of the States; and this recommendation extended not only to the State of Massachusetts, — where the objection had first been made, — but to all the other New England States, — where it had yet received no authoritative support. The recommendation of the Convention, therefore, instead of sustaining the Governor of Massachusetts in his waiver or subdual of his constitutional doubts, went to turn those doubts into certainties, to counteract his compliances, and to spread over all the New England States the resistance against the general government, which until then had been confined to the State of Massachusetts.

The second resolution — recommending the concerted, earnest application to the government of the United States to consent to some arrangement whereby the States might separately or in concert assume upon themselves the defence of their territory against the enemy, and a reasonable portion of the taxes collected within said States be paid into the respective treasuries thereof — is the expedient which the Convention present, as the only alternative to that of the people's seizing upon these taxes, and appropriating them to their own use for self-defence. The report proposes that, if the State legislatures should make this application, and Congress should submit to this arrangement, and should perceive upon just terms appear to be unattainable, the people would stand together for the common defence, until a change of administration or of disposition in the enemy should facilitate the occurrence of that auspicious event. But if the application should fail, — what then? Why, after having been told that the people would seize upon the taxes levied by the general government, and appropriate them to their own use; after having been assured that this proposal to

Congress, quietly to consent to the separate confederation, and to surrender at once a reasonable portion of the revenues to the State treasuries, was the only alternative to that catastrophe; when the Convention came to look in the face the contingency of a rejection of their recommended earnest application, — they conclude again not to trust themselves to express their own convictions: "In a state of things so solemn and trying as may then arise, the legislatures of the States, or conventions of the whole people, or delegates appointed by them for the express purpose in another convention, must act as such urgent circumstances may then require."

In this passage, the reporter seems to have wrought himself up to a degree of perturbation which affects the intelligibility of his discourse. In the dreadful extremity to which he has brought himself, the Convention, and their constituents, he shrinks altogether from saying what is to be done, but points to three totally distinct and different authorities, — first, the State legislatures; secondly, conventions of the whole people; or, thirdly, delegates appointed by them in another convention, to act as such urgent circumstances may then require. What is meant by conventions of the whole people so to act, is not very clear. It is believed to mean popular meetings throughout the New England States; but how they could have acted otherwise than by the appointment of delegates to another convention, may still be susceptible of elucidation from the author of the report. The obscurity may have been purposely used —

"Half to reveal, half veil the dread intent."

The essential character of the earnest application recommended in this second resolution is its apparent object to extort from the Congress of the United States their consent to the separate New England confederacy for defence, and the surrender to the State treasuries of the taxes levied within those States. For its other ostensible object, — the defence of this part of the country against the foreign enemy, — you have the repeated admissions of the reporter himself that it

was fully provided for by an act of Congress then in the process of enactment, and which had passed the House of Representatives eight days before the Convention met.

These, then, are the purposes of the Convention, as disclosed by their first and second resolutions illustrated by the argument of the report:—

1. Resistance, to be sanctioned and protected by the State legislatures against the laws of the Union for the defence of the country.

2. An earnest application to Congress, under a threat of popular insurrection if it should fail to consent to a New England confederacy for defence, and to surrender a part of the national revenue to the State treasuries.

The third resolution, as has been observed, has no other connection with the rest of the report, forms no part of its system, and is believed to have been reported by another and subsequent committee. It is in the following words:—

“Resolved, that it be, and hereby is, recommended to the legislatures of the aforesaid States to pass laws, where it has not already been done, authorizing the Governors, or commanders-in-chief of the militia, to make detachments from the same or to form voluntary corps, as shall be most convenient and conformable to their constitutions, and to cause the same to be well armed, equipped, and disciplined, and held in readiness for service, and, upon the request of the Governor of either of the other States, to employ the whole of such detachment or corps, as well as the regular forces of the State, in assisting the State making such request to repel any invasion thereof which shall be made or attempted by the public enemy.”

This resolution looks to the defence of the country, and is the only act of the Convention having that aspect. It recommends to the State legislatures to do that which was exclusively within the authority of Congress, and which was substantially done by the act of 27th January, 1815. The recommendation of the Convention could not have been carried into effect but by agreements between the States prohibited by the Constitution of the United States; and it is



scarcely reconcilable with the principle admitted in the immediately preceding resolution,—that the consent of Congress was indispensable to such a separate concert of defence between the States. It was not in harmony with the argument of the report; but its aptitude would have been to facilitate the accomplishment of ulterior measures for the establishment of a New England Confederacy.

It was not, however, sufficient for the Convention to recommend resistance by State legislatures against the laws of the Union,—a demand of the consent of Congress to a separate confederation for defence, and a surrender of national revenue to the State treasuries. The passions of the people of New England were still to be stimulated against the Constitution of the United States. And here the Convention return to the considerations with which they had first set out: to those defects in the Constitution which they had represented as deemed to be intrinsic and incurable, so as to have caused a sentiment to prevail, to no inconsiderable extent, that the time for a change was at hand,—an opinion which they had then said might ultimately prove to be correct. To these they now return; and, by one of those most extraordinary modes of logic which invariably bring the conditions to conclusions at war with their premises, to support this charge of intrinsic defects in the Constitution, a contrasted exposition is presented again of the two party administrations of the government under it. Of these two full-length pictures, it must be repeated that, like the sketches which had been given at the commencement of the report, they have no resemblance to the originals for which they are drawn. The twelve years of the Federal administration are painted with the coloring of the poets upon the Golden Age. If there were no other evidence of the condition of the people of this Union at the time to which these statements refer, than their delineation of them, the reader would believe that it was the reign of Astræa renewed upon earth. Little would he imagine that it was the portraiture of a period signalized by as fierce a conflict of parties for power as the history of this country has ever exhibited; by divisions of opinion among the people

as exasperated and intolerant as we have known, — by two successive insurrections among the people, and by the final overthrow of the administration itself in consequence of its intestine divisions. It is not thus that history will record the merits of that administration of twelve years. Great and signal those merits were; but it is not from the pencil of indiscriminate panegyric that they can be presented with the coloring of truth.

In the final report of the Hartford Convention, it is evidently thus drawn for the sake of the contrast, — the reverse of the picture under the succeeding administrations of Jefferson and Madison; but this side of the picture is equally discolored, though with excessive shading instead of light. It is painful to perceive men of reputation and intelligence affixing their names to two such professedly historical expositions, and giving them out as the foundation of measures recommended by them, and affecting the very existence of the Union.

After the fatal reverse of a new administration established in the hands of a party opposed to the Washington policy, the report says that "a steady perseverance in the new plans of administration at length developed their weakness and deformity; but not until a majority of the people had been deceived by flattery and inflamed by passion into blindness to their defects. Under the withering influence of this new system, the declension of the nation has been uniform and rapid. The richest advantages for securing the great objects of the Constitution have been wantonly rejected. While Europe reposes from the convulsions that had shaken down her ancient institutions, she beholds with amazement this remote country, once so happy and so envied, involved in a ruinous war, and excluded from intercourse with the rest of the world."

It would be curious to ascertain what proportion of the members of the Convention who signed the paper containing this paragraph would now pronounce it worse than idle and frothy declamation. The weakness and deformity of the plans of Mr. Jefferson's administration, it seems, had not

been developed until a majority of the people had been struck by flattery and passion with blindness to their defects. It is always an awkward thing for a minority, especially for a small minority, to complain of the blindness of a majority of the people. From all our experience, and from none more than that of the Hartford Convention, we have reason to conclude that minorities are quite as apt to be flattered and inflamed into blindness as majorities. The essence of the complaint here is that the plans of Mr. Jefferson's administration were too popular; so that, when their weakness and deformity were developed, a majority of the people were blind, and could not perceive their defects. If we admit that a majority of the people may be deceived and inflamed even to momentary blindness, it is too much to tell us that this blindness will continue under the withering influence of a system by which the declension of the nation is rapid and uniform. Majorities of the people, like individuals, sometimes fail duly to appreciate blessings which they possess, and sometimes may be flattered with the promise of good which they will not obtain; but the magician has not yet been found who can flatter and inflame a majority of the people into permanent approbation, or even blindness to the defects, of plans under which the declension of the nation is rapid and uniform. The assertion itself of this declension was unfounded. The nation had continued to prosper. The acquisition of Louisiana had brought an immense accession to its territory, to its security from foreign power, and to its commerce. The injustices and outrages of foreign European belligerent nations had checked the commercial prosperity of our country, and had finally involved the nation in a distressing war. All the great interests of the country were suffering under this scourge, and the united patriotism of the whole nation was needed for its defence. But the war had not been provoked by Mr. Jefferson or his administration. It was a war forced upon us by that very Europe which is here represented as reposing from her convulsions, and beholding with amazement our condition, as if she herself had not been its primary and only responsible cause.

The report declines the voluminous discussion which would be required to explain the means whereby the fatal reverse had been effected; but it sets forth nine specifications of charges against the policy which they say has produced this vicissitude. These specifications are themselves generalities which bear indefinitely upon the administration and its policy, and upon the acts of seven successive congresses from 1801 to 1815. To show the relative importance in the eyes of the Convention of the heinous sins which they are denouncing, it may be proper to remark that five of the nine specifications relate to the distribution of offices. The first, and most important of them in their view, is expressed in terms which can, at this day, scarcely be read without exciting a smile:—

“First, A deliberate and extensive system for effecting a combination among certain States, by exciting local jealousies and ambition so as to secure to popular leaders in one section of the Union the control of public affairs in perpetual succession. To which primary object most other characteristics of the system may be reconciled.”

This head and front of the offences of the administration, so comprehensive as to embrace almost all the rest, is so obscurely worded that, even at the time, it must have been somewhat unintelligible to the people in general. Its apparent reference is to the succession of Presidents of the United States, citizens of Virginia. The deliberate and extensive system; the combination of certain States; the local jealousies and ambition; the popular leaders in perpetual succession to whom the control of public affairs was to be secured,—all this appears to be but a mystified manner of saying that Mr. Madison had succeeded Mr. Jefferson, and that there was danger that Mr. Monroe would succeed Mr. Madison, as President. It is unnecessary to pursue the report through the eight following specifications. One of them points out what I consider as an error of Mr. Jefferson's administration,—the repeal of the Judiciary Act of 1801. I have already expressed my disapprobation of that repeal, and my conviction that the whole system of Mr. Jefferson's opinions and feelings with

regard to the judiciary was erroneous, and has had an unfavorable influence upon the public opinion of the country. Its influence, however, was controlled by the result of the impeachment of Judge Chase. Public opinion has, to a great extent, resisted the influence of Mr. Jefferson upon this point, and Mr. Madison is not chargeable with the same error.

The sixth specification may demand a moment's consideration : —

“The admission of new States into the Union, formed at pleasure in the Western region, has destroyed the balance of power which existed among the original States, and deeply affected their interest.”

Here we have in a new form, and as a charge against the administration, the old basis of the projected confederacy of 1804, — the acquisition of Louisiana. The State of Louisiana was the only one which had been admitted since that event, — admitted by act of Congress to which the inhabitants of that country, in fulfilment of the stipulations of the treaty, were entitled of right, and which could not, in good faith, have been withheld from them. As a charge against the administration, therefore, this resolves itself into a complaint against the acquisition of Louisiana ; and we find it afterwards reappearing in the proposed amendments to the Constitution.

For, notwithstanding the contrasted view of the results of the two administrations, and notwithstanding the unbounded prosperity and the transcendent felicity which, according to the report, the people had enjoyed while the Constitution had been in Federal hands, the reporter still brings the Convention to the conclusion, that it is not conceivable that the obliquity of any administration should, in so short a period, have so nearly consummated the work of national ruin, unless favored by defects in the Constitution.

The report then proposes and argues seven amendments to the Constitution of the United States, which, if imagination can suppose the possibility that they should have been adopted, would not have left enough of that instrument remaining to call it a ruin. The first of these amendments was to abolish the slave representation ; and the second, to

interdict the admission of new States into the Union without the concurrence of two-thirds of both Houses of Congress. This amendment the report declares to be highly important, and in fact indispensable; but, in proposing it, adds the report, it is not intended to recognize the right of Congress to admit new States without the original limits of the United States. How the Convention intended to dispute this right in Congress, and what was to be done if this in fact indispensable amendment should be rejected, the Convention would not trust themselves to express.

From the terms of the resolution recommending the amendments, it appears indeed that they considered the whole seven as in fact indispensable. The resolution is in this form:—

“Resolved, that the following amendments of the Constitution of the United States be recommended to the States represented as aforesaid [in the Convention], to be proposed by them for adoption by the State legislatures; and, in such cases as may be deemed expedient, by a convention chosen by the people of each State.

“And it is further recommended that the said States shall persevere in their efforts to obtain such amendments until the same shall be effected.”

The Constitution of the United States does not authorize either the State legislatures or conventions chosen by the people of any State to propose amendments to that instrument. Two other modes of proposing amendments are provided,—one by the concurrence of two-thirds of both Houses of Congress; the other, upon the application of two-thirds of the legislatures of the States, when Congress are required to call a convention for proposing amendments. The Hartford Convention, in their recommendations, not only depart from the modes prescribed by the Constitution, but manifest their distrust even of the legislatures of some of the States represented by themselves. They recommend the proposal of the amendments, first, by the legislatures; but, secondly, in such cases as might be deemed expedient, by conventions chosen by the people of each State. They do not say by whom it was to be deemed expedient; but the alternative is evidently

substituted for those States the legislatures of which should remain faithful to the Union. It was an instigation of the people against their own legislatures as well as against the general government.

Fellow-citizens, if, as you have so often and so earnestly been told, you are to judge of the designs of the Hartford Convention only from their acts, you must then believe that this body of men did recommend the proposal of these seven amendments, and stubborn perseverance in the pursuit of them, in the sincerity of their hearts, and with a firm belief that, by such perseverance, they might and would be effected. Can you so believe? That twenty-six men of intelligence should have imagined it possible that those seven amendments to the Constitution of the United States should be effected and the Union remain entire, requires itself no small effort of the imagination. That the amendments themselves would have dissolved the Union, it were, perhaps, too much to say; but that they would have annihilated the Constitution, and left the Union weaker than under the confederation Congress, is certain; and that the slaveholding States should voluntarily surrender the principle of the slave representation, is of such character in the scale of probability that a man can scarcely be credited at once or the intelligence of a statesman, and for sincerity, in believing it.

Of the service rendered to their constituents by the Convention in the proposal of these amendments, some estimate may be formed by the fortunes which attended them. They were immediately adopted by the legislatures of Massachusetts and Connecticut, but not by the legislature even of any other of the States represented in the Convention. They were transmitted by the Governors of Massachusetts and Connecticut to the executives of all the other States; and by the Governor of Massachusetts, to the Senators and Representatives of the State in Congress, with a request to them to cause them to be proposed in that body. By the legislatures of New York and New Jersey they were at once rejected, apparently without extending to them the courtesy of a discussion. The legislature of Pennsylvania treated them

with more respect, only to extinguish them after a more humiliating manner. They were referred in the Senate of that State to a committee, whose report presented a cool, deliberate, and candid examination of every one of the amendments, and concluded with two resolutions: one declaring it inexpedient to concur in the said amendments; and the other requesting the Governor of the State to transmit a copy of the report and resolution to each of the Senators and Representatives of the State in Congress, and to the executive of each State in the Union, with a request that the same be laid before the legislature thereof.

In Congress, the Representatives from the State of Massachusetts, then in opposition to the general administration, presented the amendments, with the precaution to ask merely that they might lie on the Speaker's table; and they reported to the Governor of Massachusetts that this had been done, and that so they (the amendments) had been received by the House. They have never since been heard of there but as a spark to kindle indignation, or a point to the sting of derision.

Among the ingenious arguments upon which the author of the final report of the Hartford Convention has dwelt, in all his subsequent defences of that assembly, has been the dishonor which the whole people of New England must suffer by the establishment of the belief that the object of that Convention was a dissolution of the Union and the formation of a new confederacy. This argument is again resorted to in the appeal, with a very anxious effort to turn upon me the resentment of the people of New England, as if my imputations upon the Convention and upon its measures were the causes of this dishonor to them.

That the reputation of the people of New England has suffered, — that their influence in the counsels of the nation has been greatly impaired, — that the prejudices against them in the minds of their fellow-citizens throughout the remainder of the Union have been much increased and embittered, cannot be denied; but all this is owing to the system of policy pursued by the party among them in opposition to the gen-



eral government, and under the guidance of leaders who conducted them to the catastrophe of the Hartford Convention. The refusal to place the militia of the State of Massachusetts under the command of the officer appointed by the President has cost that Commonwealth nearly a million of dollars. No other State, even of New England, sustained Massachusetts in this measure; and consequently no other State suffered the pernicious consequences of it. But the recommendations of the Hartford Convention would have involved all New England in the losses and humiliations which have followed from it. The people of Massachusetts, through every department of their government, have solemnly disavowed the principle of the measure. That the authors and supporters of this disastrous system should now struggle to throw the whole responsibility of it upon the people themselves, and to divert from their own door the odium and obloquy which they have drawn after them, is perfectly natural. Never was a system of measures devised by man which terminated in a more signal and complete discomfiture. And now you are urged to believe that the proceedings of this Convention—the final act of the drama—were the result of all the representative moral, intellectual, and patriotic worth of the New England character.

If this position were true, with what shame and confusion of face must a native of New England now read the seven amendments to the Constitution proposed by the Hartford Convention, with the argument of the final report to sustain them, and, immediately afterwards, the report of the committee of the Senate of Pennsylvania upon them! That report was the work of a Federal hand, and would of itself suffice to rescue the Federal party from the reproach of responsibility for those odious proceedings. It was also the work of a statesman. And a New England man now doomed to read the two papers in succession, and to recollect that they were at the same time submitted to the consideration of the legislature of every State in the Union, like a bane and antidote administered together, will feel the deep injustice of the pretension that the paper from the Hartford Convention should

be received as the documentary evidence of the morals, intelligence, and patriotism of New England, in comparison with those of the State the motto to whose armorial bearings is, "Virtue, liberty, and independence."

The tendency of the Hartford Convention and of all their measures undoubtedly was, and their effect has been, to degrade New England in the eyes of the rest of the Union, to impair her influence in it, and to sharpen every prejudice against her. They were also eminently calculated to exasperate and envenom the prejudices of her own people against those of the other portions of the Union. The spirit of disunion presided at the first conception of calling the assembly,—presided at the successive struggles of six years of perseverance before the convocation was effected,—presided at all the deliberations of the assembly, and at all the measures which they proposed. A cold and heartless apology for not immediately recommending a dissolution of the Union, and a repeated involuntary shuddering at the expression of their own intentions, are the only indications which they give of taking any interest in it at all; and their slight and general allusion to the warning voice of Washington serves but as a stimulus to the inquiry why it was so totally disregarded by them.

The closing paragraph of the final report is dictated by the same spirit. It is an apology for not proposing an immediate secession from the Union. It says, "Nothing more could be attempted on this occasion than a digest of general principles, and of recommendations suited to the present state of public affairs." It refers to the difficulties of the crisis; to the pending negotiation for peace, and to the duty of abstaining from measures which might unfavorably affect that issue. It then concludes thus:—

"It is also devoutly to be wished that an occasion may be afforded to all friends of the country, of all parties and in all places, to pause and consider the awful state to which pernicious counsels and blind passions have brought this people. The number of those who perceive, and who are ready to retrace, errors, must, it is believed, be yet sufficient to

redeem the nation. It is necessary to rally and unite them by the assurance that no hostility to the Constitution is meditated, and to obtain their aid in placing it under guardians who alone can save it from destruction. Should this fortunate change be effected, the hope of happiness and honor may once more dispel the surrounding gloom. Our nation may yet be great, our Union durable; but, should this prospect be utterly hopeless, the time will not have been lost which shall have ripened a general sentiment of the necessity of more mighty efforts to rescue from ruin at least some portion of our beloved country."

The same predominating ideas which have pervaded the whole report are here concentrated in this summary at its close. The expedient for assuring those who might be disposed to retrace their errors, that no hostility to the Constitution was meditated, was, to be sure, of singular consistency with the seven proposed amendments to it, beginning with the abolition of the slave representation; but it is very apparent that the Hartford Convention were prepared for a continuance of the Union, and of the Constitution too, if they could obtain sufficient aid for placing them under the guardianship of the representative moral, intellectual, and patriotic worth of the New England character. But if that fortunate change could not be effected, and the prospect of it should prove utterly hopeless, then their time would not have been lost in "ripening" the general sentiment of a "necessity" of more mighty efforts to rescue from ruin at least "some portion of the country;" or, in other words, that the time for a change was at hand.

It will be no longer necessary to search for the objects of the Hartford Convention. They are apparent from the whole tenor of their report and resolutions, compared with the journal of their proceedings. They are admitted in the first and last paragraphs of the report, and they were, —

To wait for the issue of the negotiation at Ghent.

In the event of the continuance of the war, to take one more chance of getting into their own hands the administration of the general government.

On failure of that, a secession from the Union and a New England confederacy.

To these ends, and not to the defence of this part of the country against the foreign enemy, all the measures of the Hartford Convention were adapted; and, of these ends, that of ripening the sentiment of a necessity for the last of these measures was the greatest object of the solicitude of the Convention, and the consummation of all their labors. With this object avowed in the last paragraph of the report, we see throughout the whole an adaptation of means to ends which, if not entitled to the praise of moral or patriotic worth, is at least both intelligent and intelligible.

To this end were, with extraordinary address, adapted:—

1. The resolution recommending to the legislatures of the New England States to protect their citizens in resistance against acts of Congress and of the national Executive for the defence of the country.
2. The resolution recommending a demand, with threats of popular insurrection, for the consent of Congress to a separate concert of defence between the New England States, and that a portion of the national revenue should be paid into the State treasuries.
3. The resolution recommending to the legislatures of New England to pass laws authorizing the Governors of the respective States to employ the forces of the State for the defence of any other of the New England States at the request of its Governor.
4. The resolution recommending the proposal by the State legislatures, or by popular State conventions, of seven amendments to the Constitution of the United States, with the further recommendation that the said States should persevere in their efforts to obtain such amendments until the same should be effected.
5. Each and every one of those amendments themselves,—five of them striking at the vitals of the Constitution, and the 6th and 7th suited to inflame the jealousies of New England against Virginia, and the resentments of Virginia against New England.

6. The resolution that, if the application to the general government for their consent to the separate New England concert of defence and payment of national revenues into the State treasuries should be unsuccessful, peace not be concluded, and the defence of the New England States should be neglected as it had been since the commencement of the war, then recommending the appointment by the New England legislatures of delegates to another convention, to meet at Boston, on the third Tuesday of June then next, with such powers and instructions as the exigency of a crisis so momentous might require.

The "ripening" properties of this resolution are exceedingly conspicuous. That the application to the general government would fail was certain; that the defence of the New England States would be as it had been since the commencement of the war was equally so. The neglect was assumed without foundation in fact; and, therefore, the recommendation to the appointment of another convention rested upon the single contingency that peace should not be concluded. The increased exasperation under which the new convention would have been appointed and assembled appears to have been well premeditated. The application to the general government and the proposed amendments to the Constitution were not only inadmissible, but highly irritating and inflammatory measures. Their discussion in Congress would have had a distracting tendency upon the national councils. Their certain rejection would have been with many aggravations, mutually offensive. They were firebrands, and, as such, admirably suited to the performance of their office. The contingent convention would have met in the midst of the conflagration they were to kindle.

7. The resolution authorizing the Hon. George Cabot, the Hon. Chauncey Goodrich, and the Hon. Daniel Lyman, or any two of them, to call another meeting of the Convention, to be holden at Boston, at any time before new delegates should be chosen, as recommended in the preceding resolution, if in their judgment the situation of the country should urgently require it.

This resolution was forgotten by the author of the appeal, when he told you that the Convention was *ipso facto* dissolved when they adjourned after making their report.

8. The same "ripening" properties are manifest in the statement prepared and published by order of the Convention, and printed with their final report. These statements consisted of eight schedules and two notes. The schedules are marked with the letters of the alphabet from A to H. They are collected from public documents, and published to prove the following positions: —

a. That the expenses of the war in two years to the 1st July, 1814, amounted to sixty millions of dollars.

b. To prove the same fact, with the addition of a note stating that there was but a small British army employed against the United States, and that, in this period, disgrace generally attended the American arms by land.

c. That there had been a great increase of the revenues of the United States from the adoption of the Constitution till that of the restrictive system, and then an extraordinary diminution of the same revenues.

d. That the numbers of the army previous to July 1, 1814, were 31,539 men; and the recruits enlisted from January to September, 1814, were 13,898.

e. That the expenditures of war during two years from its declaration had been greater than those of the years 1780 and 1781 during the Revolution.

f. "This schedule brings into one view the great loss of revenue occasioned by the restrictive system, and the enormous waste of public moneys in the two first years of this war; the particulars whereof are stated in the preceding schedules."

This is the most "ripening" of all the statements. It is a sweeping estimate of two items, — one of twenty-seven, and the other of thirty-three, millions of dollars, footed thus: —

"Revenue and public moneys lost by foolish restrictions, and in a profligate management of the war, \$60,000,000."

And to give it hot-bed maturity, the radiance of the following note is collected upon it: —

- Note. Had this large sum been saved, as it might have been with perfect ease by a wise and economical administration, the credit of the United States at this moment would have been unimpaired, and the very heavy direct and internal taxes now laid upon the people to supply the place of this sum so lost and wasted might have been avoided."

g. Showing the amount of internal duties accrued for the first two quarters of the year 1814, gross total, \$2,212,290.

h. Tables of exports from 1792 till 1813: showing the great increase of the commerce of the United States under Federal administration when it was free; also, its great diminution under embargoes, restrictions, and war.

To these eight schedules were added two notes: one being an extract from a report of the Secretary of the Navy of November 15, 1814, proposing a registry of seamen; and one an extract from a speech of Mr. Madison in the Virginia Convention, which adopted the Constitution of the United States; which speech the Hartford Convention ingeniously represent as "a prophetic view of circumstances which would induce a majority of States to SUPPORT VIRGINIA against the *carrying States*."

Such is the full exhibition of the proceedings and purposes of the Hartford Convention; and from this it is apparent that, in the strong disapprobation of them which the public have expressed, no injustice whatever has been done to that assembly.

The author of the final report and of the confederate appeal was also the first of the commissioners appointed by the Governor of Massachusetts, under a resolve of the legislature of that State, of the 27th January, 1815, to proceed to the seat of the national government to make the earnest application recommended by the second resolution of the Hartford Convention. It is remarkable that the date of this resolve is precisely the same with that of the act of Congress which the author of the appeal now tells you "gave to the State governments the very power which was sought by Massachusetts; viz., that of raising, organizing, and officering State troops, to be employed in the State raising the same,

or in any adjoining State, and providing for their pay and subsistence."

I have shown how very far the Hartford Convention were from considering this act in the light in which it is now represented in the appeal. That the act was not more estimated by the legislature of Massachusetts than it had been by the Convention, is evident from the fact that they passed the resolve for the appointment of commissioners on the same day that the President of the United States signed the act of Congress.

It had passed both Houses of Congress three weeks before, and must have been published in the Boston newspapers before the commissioners left that place to proceed to Washington, and make earnest application, in the name of the Commonwealth of Massachusetts, to the general government to do precisely that which the reporter of the Convention, the first commissioner from Massachusetts, and the composer of the confederate appeal, now tells you that act of Congress had already done.

Another and a more fortunate incident, however, soon occurred which superseded the necessity for the commissioners to execute their commission. The messenger with the treaty of peace from Ghent arrived at Washington nearly on the same day with themselves; and they judged it proper to abstain altogether from requesting an audience in their public capacity, or exhibiting their credentials to any person.

And thus ended the labors, moral, intellectual, and political, of the Hartford Convention; and thus was extinguished — I trust, for ever — the design of a Northern or New England confederacy, entertained originally by a few individuals perhaps as early as the administration of Washington, formed into a deliberate and written plan, to which the aid and co-operation of Alexander Hamilton was solicited and refused in the spring of 1804; and pursued, with varying prospects of success, under all the vicissitudes of our national affairs, till it came to its euthanasia in the peace of Ghent. To this design few individuals of the Federal party were originally privy; the embargo of December, 1807, was the immediate



occasion of its revival ; and, from that time, all the political measures of the surviving projectors of that plan were devoted to the purpose so well expressed in the last paragraph of the final report of the Hartford Convention, of " ripening the general sentiment of its necessity."

It has passed away. Of those named to me as originally concerned in or acquainted with the design, not one in the State of Massachusetts now survives. With them, as I hope, and confidently believe, has expired the speculative opinion, the fundamental error of their policy, — that the operation of the national Union was so oppressive upon the commercial States, and particularly upon New England, as to justify their resort to a more limited confederation.

It was this opinion, founded upon a contracted view of things, nourished by sectional prejudices and disappointed ambition, and stimulated by the conflicting prejudices and intolerance of Mr. Jefferson's administration and of his party, which gave rise to the design and prompted all the measures by which it was pursued. Those evils were not all imaginary. The protection of the Union was not, during Mr. Jefferson's administration, extended to its commercial interests as it ought to have been ; and those interests were of transcendent importance to New England. Mr. Jefferson had strong, very strong, sectional and party prejudices himself, and speculative opinions relating to the judiciary power in my estimation little less dangerous than those of the projectors of the New England confederacy. The great error of his administration with reference to commercial and New England interests was his rooted aversion to a naval power. The source of this was partly sectional, and partly proceeded from a laudable but miscalculating spirit of national economy. The commercial prosperity of the country until the British orders in council of November, 1807, was, indeed, as great during his administration as it had been during that of his predecessors ; but the discontinuance and reduction of the appropriations for the navy were among the reforms by which he signalized his administration. The result of them cost the nation ten times more than all his reforms ever saved ; and

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they had the still more pernicious effect of infusing a deep and too well-founded discontent into the commercial part of the community, and especially among the people of New England. Had Mr. Jefferson partaken the opinions, and pursued the system of policy respecting a navy, of his immediate predecessor, he probably never would have been compelled to resort to embargoes and non-intercourses against British orders in council. If he had, they would, with the assistance of a respectable navy, and with the hearty co-operation of New England, have been far more effective to avert the catastrophe of war. The war itself, if it had come, would have found the nation in a state of preparation better adapted to meeting it; would have been more glorious in progress, and more successful in its termination. It is among the attributes of a superintending Providence to bring good out of evil:—

“There’s a Divinity that shapes our ends,  
Roughhew them how we will.”

Under the beneficent guidance of this overruling power, the projected New England confederacy and the war with Great Britain, two of the greatest calamities which have ever befallen this Union, have been turned into two of the most effective instruments for its preservation. The Hartford Convention is a perpetual *memento mori* to every deliberate projector of disunion throughout this confederate republic. The war has proved to this nation that the ocean is not only the field of their glory, but of the glory upon which is written their defence. Fourteen years have elapsed since the peace with Great Britain was concluded, and since that day no portion of this great confederation has been more faithfully devoted to the Union, none more candid and liberal in support of the administration of the general government, than New England. During the same time, a steady system of gradual increase and improvement of the navy has been in constant operation, and has been adding from year to year to the strength, the dignity, and the security of the nation. And may that Being in whose hands are the destinies of men continue thus to protect and preserve that great bond by

which the inhabitants of this mighty empire are fellow-citizens of one republic, and hail each other by the endearing appellation of "Countrymen"! If, in the institutions of the Grecian mythology, the lyre of Orpheus was transferred to the heavens for its attractive virtues in civilizing and harmonizing the solitary savage of the desert into the social denizen of a community, may its fascination still bind in Union, never to be dissolved, the stars of our confederate hemisphere, till the harmonious movement of the globe shall be involved in the orb of its revolution!

At lyra deductis per cælum cornibus inter  
Sidera conspiciuntur, qua quondam ceperat Orpheus  
Omne quod attigerat cantu, manesque per ipsos  
Fecit iter, domuitque infernas carmine leges.  
Hinc cœlestis honos, similisque potentia causam.  
Tunc silvas et saxa trahens, nunc sidera ducit  
Et rapit immensum mundi revolubilis orbem.

*Munilius, Astronomicon, l. 322, etc.*

Next in the sky with still congenial charms  
The lyre of Orpheus spreads abroad its arms;  
That lyre whose touch with fascinating spell  
Tamed the dread lord and tyrant laws of hell;  
With soft compulsion won the master's way  
From death's dire regions to the realms of day.  
Nor yet, transferred in glory to the skies,  
Has lost the power to draw by kindred ties.  
Then rocks and groves obeyed its wondrous force;  
Now of the starry orbs it leads the course,  
Extends its virtues to the welkin's bound,  
And, rolling, whirls the universe around.

JOHN QUINCY ADAMS.



## APPENDIX.

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TIMOTHY PICKERING TO C. C. PINCKNEY.<sup>1</sup>

PHILADELPHIA, 25th May, 1800.

DEAR SIR, — On my return from the country on the 23d, I found your obliging letter of the 19th, expressing your astonishment at my removal, asking for what end and how it was done, and for some information relative to the late important events.

The story will be long; but I cannot satisfy your queries without reciting it. Dates will demonstrate that the sentiments I shall now express are not the fruits of resentment against Mr. Adams for removing me from office: my feelings are of a very different kind. . . .

Indignation and disgust, — these are and long have been my feelings towards Mr. Adams: disgust at his intolerable vanity; indignation for the disgrace and mischief which his conduct has brought on the cause of Federalism and the country. When I say "long have been," I mean for near two years past, when I began to know him. In ascribing to Mr. Adams "upright views," I refer to public measures in general. If you were to scan his actions minutely, you would find them influenced by selfishness, ambition, and revenge; that his heart is cankered with envy, and deficient in sincerity; that he is blind, stone blind, to his own faults and failings, and incapable of discerning the vices and defects of

<sup>1</sup> The frequent allusions to hereditary enmities in the foregoing pages can be thoroughly understood only by reading Hamilton's pamphlet, "John Adams;" the reply of President Adams in his "Letters to the Boston Patriot;" Wolcott's correspondence in Gibbs's "Administrations of Washington and Adams;" Lodge's "Life of George Cabot;" as well as Adams's "Cunningham Correspondence" and Pickering's "Review" of it. But the letter of Colonel Pickering, printed above, from the Pickering MSS., gives so graphic a picture of the first outbreak of these quarrels, and is evidence so contemporaneous, that it has been decided to print it, the more because it was written to his own candidate for the Presidency, and is therefore in a manner official.

all his family connections. Hence his insatiable desire to provide in public offices for himself and them, and his injurious treatment of those who have opposed his wishes. Of this number I have the honor to be one.

The first act of opposition by me was to the appointment of his son-in-law, Colonel Smith, to the offices of brigadier and adjutant-general in 1798. Two or three different times the President said to me, "What shall we do for Colonel Smith?" In the simplicity of my heart I answered each time, according to my opinion of his capacity, "He can command a regiment." I did not then think of the drift of the President in putting and repeating that question to me; but the result showed that, however little he valued my opinion, he was willing it should sanction his nomination to a higher grade.<sup>1</sup> I endeavored by some general observations to divert the President from nominating at that time any officers below the grade of major-general, because, as not a soldier was then raised, they would have nothing to do; but that the commander-in-chief and the major-generals, besides consulting and forming proper arrangements, living in different parts of the Union, would be able to collect information of the proper characters for subordinate offices. Finding, however, that he was determined to make the officers immediately (it was just at the close of the session in July, 1798), and that Colonel Smith was to be nominated to the offices of brigadier and adjutant-general, I went immediately to the Senate, called out some members of my acquaintance, told them of this intended nomination, expressed my opinion of Colonel Smith's capacity and character (some of the senators were already well acquainted with both), and urged them to put their negative upon him, if they regarded the public interest or the public safety. When the nomination was sent to the Senate, the members manifested their disapprobation. The President's true and honest friends wished to save him from the mortification of a negative; and three of them, Tracy,

<sup>1</sup> In the same manner, he at different times asked me, "Whom shall we appoint commander-in-chief?" I answered, "Colonel Hamilton." The last time he asked this question, when I again answered, "Colonel Hamilton," the President replied, "Oh, no! it is not his turn by a great deal. I would sooner appoint Gates or Lincoln or Morgan." Instantly I rejoined, "Morgan is a brave and meritorious officer, but not competent to a large command; besides, his constitution is wholly broken down, so that he is incapable of taking the field. As for Gates, he is now an old woman; and Lincoln is always asleep." I did not suppose that anybody would think of again drawing General Washington from his retreat at Mount Vernon. [T. P.]

Goodhue, and Hillhouse, waited upon him in the evening, and mentioned the objections to Colonel Smith,—that he was not only a bankrupt, but a bankrupt with dishonor. The President repelled the charge, declaring that, although Colonel Smith was a bankrupt, he was an honest man, and had acted honorably towards his creditors. The Senators continued to declare the contrary to be his character, and told the President that they wished to save both his feelings and Colonel Smith's, and therefore had waited upon him, that he might have an opportunity to withdraw the nomination and prevent a negative. "I will not withdraw the nomination," said the President. The next morning, Colonel Smith was negatived, three Senators only voting in his favor. Here, sir, is my original sin. The President was immediately informed of my interference in this matter, and he has never forgiven me: his hatred is implacable. I also took some pains to secure to Mr. Hamilton his rank of major-general, as designated by General Washington and intended by the Senate, while the President wanted to raise General Knox above you both. I wrote many letters on this subject, some to gentlemen in Massachusetts, who, I imagined, might possibly have some weight with the President, he being then at Quincy; but several to General Washington; one prior to Mr. McHenry's journey to Mount Vernon, to ask, by the President's direction, information of the candidates most proper for military commands. This letter is dated the 6th of July, 1798; in which, after giving my reasons why Colonel Hamilton should be second in command, I mention the President's disinclination to place him in what I and others conceived to be his proper station, and the necessity of the weight of General Washington's opinion to insure the appointment. I conclude the letter with these words: "The appointment of Colonel Hamilton in the manner suggested [that is, *second* to General Washington, and *first*, if the General declined the chief command] appears to me of such vast importance to the welfare of the country, that I am willing to risk any consequences of my frank and honest endeavors to secure it."

The President having manifested his intention to make Knox the first major-general, I again addressed General Washington, reasoning on General Knox's pretensions, and showing them, as I thought, to be unfounded. This letter is dated September 1st, 1798. In it I also mentioned the President's having expressed his opinion that General Knox had a legal right to be first major-general, and that if General Washington was of the *same opinion*, and

*consented* to the measure, General Knox was to have the first command. I expressed my full persuasion that your patriotism, and very high and sincere respect for General Washington, would determine you to acquiesce in his arrangement; and concluded the letter with this paragraph:—

“Thus, sir, I have troubled you with a tedious detail, and have no other apology than my solicitude as a citizen of the United States, devoted to the advancement of their interest and welfare, made sure by the appointment of the fittest characters to the most important stations in the army. I have spoken with a freedom, which, in any other than a *confidential* letter to one who feels the like solicitude for his country’s safety, might be thought indecorous in relation to the first officer in the Union; but although I respect the President for many great and excellent qualities, I cannot respect his errors, his prejudices, or his passions, and I have been plain and explicit, that you might be fully apprised of the mischiefs which your opinion and influence alone can avert.”

I now supposed Colonel Hamilton’s rank would be secured beyond a doubt; but, to my utter astonishment, without waiting for General Washington’s opinion and consent, the President, in a second letter to the Secretary of War, decided that Knox should be the first major-general. Upon this, on the 13th September, I again wrote to General Washington, and noting this precipitate decision, observed, “One mischief already appears, — Colonel Hamilton will not serve in the place to which the President would now degrade him. The fact is, the President has an extreme aversion to General Hamilton, — a personal resentment, — and, if he followed his own wishes alone, would scarcely have given him the rank of a brigadier.” The General, on the 1st October, wrote me that he had made a representation of the subject to the President, which would soon bring matters to a close, so far as they respected himself. In this letter, the President says that, besides the President’s intended change in the relative rank of the major-generals, he had departed in almost every other instance from what he (General W.) considered a solemn compact, and the only terms on which he would, by accepting the commission, hazard every thing dear and valuable to him. After this, you must have learnt at the time the President felt himself under the mortifying necessity of treading back his own unadvised steps, and altering the three commissions of the major-



generals, to make them conformable to General Washington's original arrangement.

In this affair, also, the President must have believed me to have been not an idle spectator. He wrote to McHenry that there had been too much intrigue about it; and lately, when he upbraided Mr. Goodhue and associates with the negative on Colonel Smith, he added, "And you crammed Hamilton down my throat."

But I must return to Colonel Smith. When I had spoken to many Senators, with the view of fixing the negative upon him, I told my friends that it was highly probable it would come to the President's ears, and that I should not be surprised if in his resentment he removed me from my office; but that, having done only what I considered to be my duty, I had made up my mind to meet that event. At length it has arrived; the hatred long laid up and increased has now been disclosed. To this immortal hatred, as the primary and chief cause, I had, with my friends, ascribed my dismissal; and yesterday, a friend who had chanced to have a long conversation with Mr. Stoddert confirmed it. Mr. Stoddert has enjoyed the President's confidence since the other secretaries lost it; that is, since the latter opposed his arrangements of the military, and reprobated the last mission to France. Mr. Stoddert told my friend that he early saw the President's resentment for my interference in the case of Mr. Smith, which was undoubtedly the primary and chiefly influential cause of my removal; and that he thought that interference an imprudent act. I grant that Mr. S. has more *prudence*, — that prudence which will make him beware not to offend his chief in any case; but it is a prudence of which I am not ambitious. Mr. Stoddert and Mr. Lee strongly reprobated the mission to France, as well as Wolcott, McHenry, and myself; but when the President, last autumn, resolved that it should proceed, — it had become a proper measure.

Another proof of the President's strong and implacable hatred towards all who opposed his will I will give you on the information of Mr. Goodhue. This gentleman, on Friday, the 9th inst., waited on the President to take leave, intending to set off the next morning for Massachusetts. They were alone; and the President took the occasion to rake up every subject of dissatisfaction, uttering his resentment in a tempest of passion during more than an hour, with some intervals of moderation. Among other things, he reminded Mr. G. of the opposition to the appointment of Colonel Smith to the offices of brigadier and adjutant-general. "And you

voted against him," said the President, in a vehement rage. If for nearly two years he has harbored this violent resentment against Mr. Goodhue, for exercising his constitutional right and duty as a Senator, what must be his wrath towards me, whose situation he imagines ought to have produced a perfect subserviency to his views? A letter from Mr. Goodhue has just interrupted me. He begins: "With extreme indignation I have heard of the malignant conduct of the President towards you. Finding, I presume, by every calculation, that there was no chance of his being re-elected, there was nothing to restrain him from the full exercise of his venomous disposition, which otherwise he dared not to manifest. This measure, I have no doubt, will occasion a perfect departure from the plan which they had agreed upon relative to the next election;<sup>1</sup> and he will return to private life, amidst the triumphs of his ancient enemies, and the execrations of his *quondam* friends, and leave an example to mankind how easily they may be deceived into a belief that a man is possessed of supereminent qualities who is wholly destitute of any that ever ought to have raised him to distinction."

I have mentioned my disgust at Mr. Adams's intolerable vanity. But the week before my discharge, in conversation with the President about Great Britain and France, and how the former might be affected by our successful negotiation with the latter, and the President having expressed his opinion that Mr. Jefferson would undoubtedly be the next President, he added, "But Mr. Jefferson will be no more inclined than I to go to war with Great Britain. Indeed, it is well known, and has often been said, that the British were more afraid of John Adams than of any man in the United States." About two weeks before, I was speaking to him of a letter written by Mr. Jefferson, in March, 1798, to Sir John Sinclair, describing a new-invented mould-board by Mr. J., and of the political notions with which Mr. Jefferson concluded his letter. These notions I recited from memory, and then said, "Mr. Jefferson is doubtless a man of very great learning, but certainly a visionary politician." "Why, yes!" answered the President; "he has a certain kind of learning in philosophy and some other things, but very little of that which is necessary for a statesman." Yet I have understood that he has lately spoken very handsomely of Mr. Jefferson, as the person in the United States most fit to succeed to

<sup>1</sup> This was to place Mr. Adams and you on the ticket for President and Vice-President. [T. P.]

the office of President. If I mistake not, he said as much to McHenry, who, by the way, has a *most charming* dialogue of the *tête à tête* which was the prelude to his resignation. If he has an opportunity, he will certainly show it to you.

But Mr. Adams is not only pre-eminently vain of himself: he as egregiously errs respecting the talents of his family connections. On the day on which he determined to nominate Colonel Smith to the offices of brigadier and adjutant-general, he said to me: "When Colonel Smith was with me in Europe, I was informed by several military officers who had conversed with him, that he possessed great military talents. Why, sir! he has seen the grand reviews of the Great Frederic at Potsdam!" There was no more to be said. The same day, I repeated this anecdote to Colonel North, then in the Senate. "Yes!" said North, "I remember we received the account of Colonel Smith's journey to Potsdam when I was at Baron Steuben's, and the Baron expressed his chagrin. 'Colonel Smith,' said the Baron, 'will appear there in the American uniform: he will be noticed by the king, who will ask him some military questions, which Smith will not be able to answer; and he will bring disgrace on the American army.'"

When the President appointed his son minister to Berlin, I made a draught of his commission, and, before it was engrossed on parchment, waited on the President, to see if it met his approbation. In reciting his son's former official character, I called him late minister to the Hague, and not minister plenipotentiary to Portugal, where he had not been received, and to which place he was only preparing to go. On this trivial occasion, instead of suggesting his opinion, which in this case would have governed me, that it would be more proper to call him late minister plenipotentiary to Portugal, he vociferated, "He was minister plenipotentiary to Portugal, appointed by General Washington, not by me; and by that title he should be designated:" then, lowering his tone, "I am sorry that my son ever went on a mission to Europe: I wish he had stayed at home. There was no man in the United States of whose pen the Jacobins were so much afraid as of my son's."

I will not trouble you with more information relating to the President at this time. I have need to make an apology for this long detail, given just as the thoughts occurred to me, and facts were recollected. You will pardon their incoherence, and believe me to be, &c.

PICKERING TO RICHARD PETERS.<sup>1</sup>

CITY OF WASHINGTON, Dec. 24, 1803.

MY DEAR FRIEND, — Although the end of all our Revolutionary labors and expectations is disappointment, and our fond hopes of republican happiness are vanity, and the real patriots of '76 are overwhelmed by the modern pretenders to that character, I will not yet despair: I will rather anticipate a new confederacy, exempt from the corrupt and corrupting influence and oppression of the aristocratic Democrats of the South. There will be — and our children at farthest will see it — a separation. The white and black population will mark the boundary. The British Provinces, even with the assent of Britain, will become members of the Northern confederacy. A continued tyranny of the present ruling sect will precipitate that event. The patience of good citizens is now nearly exhausted. By open violations and pretended amendments they are shattering our political bark, which, with a few more similar repairs, must founder. Efforts, however, and laudable ones, are and will continue to be made to keep the timbers together. The most distinguished you will find in the speech of Mr. Tracy, which I enclose. . . .

PICKERING TO CABOT.<sup>2</sup>

CITY OF WASHINGTON, Jan. 20, 1804.

MY DEAR SIR, — A friend of mine in Pennsylvania,<sup>3</sup> in answering a letter, lately asked me, "Is not a great deal of our chagrin founded on personal dislikes, the pride of opinion, and the mortification of disappointment?" I replied, or, to speak correctly, I prepared the following reply. But when I had finished, perceiving the sentiments too strong for the latitude of Pennsylvania, and perhaps for the nerves of my friend, I changed the form, and now address them to you.

To those questions, perhaps to a certain degree, an affirmative answer may be given. I have more than once asked myself, For what are we struggling? Our lands yield their increase, our commerce flourishes, we are building houses, "are marrying and given

<sup>1</sup> Pickering MSS. Printed in Lodge's "Cabot," p. 441.<sup>2</sup> Pickering MSS. Printed in Lodge's "Cabot," p. 337.<sup>3</sup> Judge Peters.

in marriage," yet we are dissatisfied : not because we envy the men in office, — to most of us a private life is most desirable. The Federalists are dissatisfied, because they see the public morals debased by the corrupt and corrupting system of our rulers. Men are tempted to become apostates, not to Federalism merely, but to virtue and to religion and to good government. Apostasy and original depravity are the qualifications for official honors and emoluments, while men of sterling worth are displaced and held up to popular contempt and scorn. And shall we sit still, until this system shall universally triumph? until even in the Eastern States the principles of genuine Federalism shall be overwhelmed? Mr. Jefferson's plan of destruction has been gradually advancing. If at once he had removed from office all the Federalists, and given to the people such substitutes as we generally see, even his followers (I mean the mass) would have been shocked. He is still making progress in the same course; and he has the credit of being the real source of all the innovations which threaten the subversion of the Constitution, and the prostration of every barrier erected by it for the protection of the *best*, and therefore to him the most obnoxious, part of the community. His instruments manifest tempers so malignant, so inexorable, as convince observing Federalists that the mild manners and habits of our countrymen are the only security against their extreme vengeance. How long we shall enjoy even this security, God only knows. And must we with folded hands wait the result, or timely think of other protection? This is a delicate subject. The principles of our Revolution point to the remedy, — a separation. That this can be accomplished, and without spilling one drop of blood, I have little doubt. One thing I know, that the rapid progress of innovation, of corruption, of oppression, forces the idea upon many a reflecting mind. *Indeed*, we are not uneasy because "unplaced." But we look with dread on the ultimate issue, — an issue not remote, unless some new and extraordinary obstacle be opposed, and that speedily; for paper constitutions are become as clay in the hands of the potter. The people of the East cannot reconcile their habits, views, and interests with those of the South and West. The latter are beginning to rule with a rod of iron. When not convenient to violate the Constitution, it must be altered; and it will be made to assume any shape as an instrument to crush the Federalists. The independence of the judges is now directly assailed, and the majority are either so blind or so well trained that it will most undoubtedly

be destroyed. Independently of specific charges, as ground of impeachment, John Randolph, I am informed, avows this doctrine: that the clause in the Constitution granting to the judges their offices during *good behavior* was intended merely to guard them against *Executive removals*, and not at all to restrain the two Houses of Congress, on whose representation the President ought to remove them! We should really be safer without any constitution, for then oppressive acts might excite public attention; but while the popular tyrants shelter themselves under the forms or the name of the Constitution, tortured and interpreted to suit their views, the people will not be alarmed.

By the Philadelphia papers, I see that the Supreme Court judges of Pennsylvania are to be hurled from their seats, on the pretence that, in punishing one Thomas Passmore for a contempt, they acted illegally and tyrannically. I presume that Shippen, Yates, and Smith are to be removed by the Governor, on the representation of the legislature. And when such grounds are taken, in the national and State legislatures, to destroy the rights of the judges, whose rights can be safe? Why destroy *them*, unless as the prelude to the destruction of every influential Federalist, and of every man of considerable property, who is not of the reigning sect? New judges, of characters and tempers suited to the object, will be the selected ministers of vengeance. I am not willing to be sacrificed by such popular tyrants. My life is not worth much; but, if it must be offered up, let it rather be in the hope of obtaining a more stable government, under which my children, at least, may enjoy freedom with security. Some Connecticut gentlemen (and they are all well-informed and discreet) assure me that, if the leading Democrats in that State were to get the upper hand (which would be followed by a radical change in their *unwritten* constitution), they should not think themselves safe, either in person or property, and would therefore immediately quit the State. I do not believe in the practicability of a long-continued union. A Northern confederacy would unite congenial characters, and present a fairer prospect of public happiness; while the Southern States, having a similarity of habits, might be left "to manage their own affairs in their own way." If a separation were to take place, our mutual wants would render a friendly and commercial intercourse inevitable. The Southern States would require the naval protection of the Northern Union, and the products of the former would be important to the navigation and commerce of the latter. I be-

Heve, indeed, that, if a Northern confederacy were forming, our Southern brethren would be seriously alarmed, and probably abandon their virulent measures. But I greatly doubt whether prudence should suffer the connection to continue much longer. They are so devoted to their chief, and he is so necessary to accomplish their plans of misrule and oppression, that as they have projected an alteration of the Constitution to secure his next election, with a continued preponderance of their party, so it would not surprise me, were they, soon after his next election, to choose him President for life. I am assured that some of his blind worshippers in South Carolina have started the idea.

But *when* and *how* is a separation to be effected? If, as many think, Federalism (by which I mean the solid principles of government applied to a federate republic, — principles which are founded in justice, in sound morals, and religion, and whose object is the security of life, liberty, and property, against popular delusion, injustice, and tyranny), — if, I say, Federalism is crumbling away in New England, there is no time to be lost, lest it should be overwhelmed, and become unable to attempt its own relief. Its last refuge is New England; and immediate exertion, perhaps, its only hope. It must begin in Massachusetts. The proposition would be welcomed in Connecticut; and could we doubt of New Hampshire? But New York must be associated; and how is her concurrence to be obtained? She must be made the centre of the confederacy. Vermont and New Jersey would follow of course, and Rhode Island of necessity. Who can be consulted, and who will take the lead? The legislatures of Massachusetts and Connecticut meet in May, and of New Hampshire in the same month or in June. The subject has engaged the contemplation of many. The Connecticut gentlemen have seriously meditated upon it. We suppose the British Provinces in Canada and Nova Scotia, at no remote period, perhaps without delay, and with the assent of Great Britain, may become members of the Northern league. Certainly, that government can feel only disgust at our present rulers. She will be pleased to see them crestfallen. She will not regret the proposed division of empire. If with their own consent she relinquishes her provinces, she will be rid of the charge of maintaining them; while she will derive from *them*, as she does from *us*, all the commercial returns which her merchants now receive. A liberal treaty of amity and commerce will form a bond of union between Great Britain and the Northern confederacy highly useful to both.

Are these ideas visionary or impracticable? Do they not merit consideration? If they do, let me know, in such way as you deem expedient, what you think. Tracy has written to several of his most distinguished friends in Connecticut, and may soon receive their answers. R. Griswold, examining the finances, has found that the States above mentioned, to be embraced by the Northern confederacy, now pay as much (or more) of the public revenues as would discharge their share of the public debts due those States and abroad, leaving out the millions given for Louisiana.

Perhaps a crisis may occur to mark the moment for decisive measures. Perhaps the violation of the Constitution in the arbitrary removal of the judges may hasten such a crisis. The signal, a bold but safe step by members of Congress.

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TAPPING REEVE TO URIAH TRACY.<sup>1</sup>

[Extract of a letter from a gentleman of distinction in Connecticut to his friend in the city of Washington, dated Feb. 7, 1804.]<sup>2</sup>

"I have omitted answering your letter until this time, that I might learn, if possible, the sentiments of others upon the subject of your letter. I shall continue to pursue the subject with all the industry I am capable of exercising, and will write to you again by the mail next week. The court is now sitting at Litchfield, and I shall have further opportunities of learning the sentiments of influential people. I can now say that there never has been such an alarm excited in the minds of informed people as at the present moment. It seems to be a very general opinion that some method must be fallen upon to preserve ourselves from that ruin with which we are threatened. We are waiting with great anxiety to learn in what manner the amendment will be treated by Massachusetts. I have seen many of our friends; and all that I have seen, and most that I have heard from, believe that we must separate, and that this is the most favorable moment. The difficulty is, How is this

<sup>1</sup> Pickering MSS. Printed in Lodge's "Cabot," p. 442. [This letter is indorsed by Colonel Pickering "T. R. to U. T.;" and Mr. Octavius Pickering conjectures, with indubitable correctness, that the initials stand for the names which I have placed at the head of this extract. Tapping Reeve was a distinguished lawyer and judge in Connecticut. His wife was a sister of Aaron Burr, who knew of this scheme, and proposed, if it seemed profitable, to take part in it. See "Life of Plumer," and Hamilton's "History of the Republic;" Davis's "Life of Burr." H. C. L.]

<sup>2</sup> This is Colonel Pickering's own head-note to the extract. [H. C. L.]



to be accomplished? I have heard of only three gentlemen, as yet, who appear undecided upon this subject. Among these is —. He is sufficiently alarmed, but afraid that the country is not prepared. I believe that some proper step must be taken before there will be that *preparedness* that he wishes. Mr. —, I believe, retains a great degree of apathy. The other gentleman's opinion is, I believe, governed in some measure by Mr. —. But a settled determination that this must be done has taken fast hold of some minds where you would expect more timidity. It seems to be the opinion of those with whom I have conversed that two things must be done with a view to accomplish the desired object, — one by you gentlemen of Congress, and the other by the legislatures of the States. We believe, in the present state of alarm and anxiety among Federalists, that if you gentlemen at Congress will come out with a bold address to your constituents, taking a view of what has been done under the present administration, with glowing comments on the ruinous tendencies of the measures, and if this should be done before the sitting of our legislature, or rather the election of the members thereof, that this will produce all that *preparedness* that is wanted. I know that it will animate the body of the people beyond any other possible method, and give a death-wound to the progress of Democracy in this part of the country; that this ought to be followed up by the legislatures by such declarations as may have the strongest tendency to secure the object aimed at. In what manner this separation is to be accomplished is to me wholly in the dark, unless the amendment is adopted by three-fourths of the legislatures, and rejected by Massachusetts, New Hampshire, and Connecticut, upon the last ground taken by Delaware.<sup>1</sup> In such case, I can see a foundation laid."

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PICKERING TO THEODORE LYMAN.\*

CITY OF WASHINGTON, Feb. 11, 1804.

DEAR SIR, — The conduct of our rulers reminds me of your early predictions, coeval I believe with Mr. Jefferson's inaugural

<sup>1</sup> Note by Colonel Pickering. "That the amendment had not constitutionally passed the two Houses of Congress; that is, by two-thirds of the entire number composing the respective Houses."

\* Pickering MSS. Printed in Lodge's "Cabot," p. 444.

speech. The public debt, indeed, is not annihilated; but in all other things they have, I suspect, surpassed your apprehensions. The removals from office have been gradual, not to shock the public mind. When the sensations produced by the political death of one distinguished Federalist are blunted, another victim is led to the altar; with the same view, removals and appointments are no longer made public. The changes which take place are but very partially known, — that is, only by the neighbors of the individuals respectively, — while the community at large is kept in ignorance of the accumulated evil. The violation of the Constitution, though not commenced, yet most remarkable in overthrowing the judiciary, is becoming habitual. The judges of the Supreme Court are all Federalists. They stand in the way of the ruling power. Its satellites, also, wish to occupy their places. The judges, therefore, are, if possible, to be removed. Their judicial opinions, if at all questionable, though *mere errors of judgment*, are interpreted into *crimes*, and to be grounds of impeachment. And, if these should fail, they are to be removed by the President, on the representations of the two Houses of Congress. At least, this is the doctrine of John Randolph, the leader of Democracy in the House of Representatives. He says that the provision in the Constitution that the judges should hold their offices *during good behavior*, was intended to guard them against the *Executive alone*, and not by any means to control the power of *Congress*, on whose representation against the judges the President should remove them. Such a removal of some would, or at least ought to, occasion the resignation of all the rest. For, as upright men, feeling for their own dignity and rights, how could they consent to hold their offices at the will and pleasure of such rulers?

The removal of good men from office, and the appointment of some of the worst in their places, have a pernicious effect on the public morals. Depravity is the surest road to preferment, while virtue and integrity are objects of virulent persecution. Hence the open apostasy of many, before of decent character, but without stability to resist temptation. The removal of the present judges, and the appointment of unprincipled successors, will complete the catastrophe. The men of stern, inflexible virtue, who dare expose and resist the public corruption, will be the first victims; and the best portion of the community, already humbled, will be trodden under foot.

And must we submit to these evils? Is there no remedy? Is

there not yet remaining in New England virtue and spirit enough, if a suitable occasion offer, to resist the torrent? The most intelligent of the Federalists here have been reflecting on this subject with the deepest concern. Massachusetts, as the most powerful, they say, should take the lead. At the word from her, Connecticut would instantly join. There can be no doubt of New Hampshire. Rhode Island would follow, of necessity. There would probably be no great difficulty in bringing in Vermont. But New York should also concur; and, as she might be made the centre of the Northern Union, it can hardly be supposed that she would refuse her consent. New Jersey would assuredly become an associate; and it is to be wished that Pennsylvania, at least east of the Susquehannah, might be induced to come into the confederation. At no distant period, the British Provinces on the north and north-east would probably become a part of the Northern Union. I think Great Britain would not object; for she would continue to derive from them, when become States, all the commercial advantages they would yield if continued her Provinces, without the expense of governing and defending them.

While thus contemplating the only means of maintaining our ancient institutions in morals and religion and our equal rights, we wish no ill to the Southern States and those naturally connected with them. The public debts might be equitably apportioned between the new confederacies, and a separation somewhere about the line above suggested would divide the different characters of the existing Union. The manners of the Eastern portion of the States would be sufficiently congenial to form a union, and their interests are alike intimately connected with agriculture and commerce. A friendly and commercial intercourse would be maintained with the States in the Southern confederacy, as at present. Thus all the advantages which have been for a few years depending on the general Union would be continued to its respective portions, without the jealousies and enmities which now afflict both, and which peculiarly embitter the condition of that of the North. It is not unusual for two friends, when disagreeing about the mode of conducting a common concern, to separate, and manage each in his own way his separate interest, and thereby preserve a useful friendship, which without such separation would infallibly be destroyed.

If even the New England States alone were agreed in the first instance, would there be any difficulty in making frank and open proposition for a separation, on the principles above suggested?

The Northern States have nothing to countervail the power and influence arising from the negro representation, nor will they ever receive an equivalent. This alone is an adequate ground to demand a separation. The only practical equivalent is a direct tax, which will not be resorted to until all other means are exhausted; and in the mean time we suffer all the mischiefs which flow from an unequal representation.

Several distinguished men are turning the attention of their Eastern friends to the consideration of this subject; and it being of the highest importance, and requiring the most serious reflection, I have thought it right to present it to you.

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CABOT TO PICKERING.<sup>1</sup>

FEB. 14, 1804.

MY DEAR SIR, — I have read with great interest your letter of the 3d.<sup>2</sup> The subject is as important as it is delicate, and has often occupied my thoughts. All the evils you describe and many more are to be apprehended; but I greatly fear that a separation would be no remedy, *because the source of them is in the political theories of our country and in ourselves.* A separation at some period not very remote may probably take place. The first impression of it is even now favorably received by many; but I cannot flatter myself with the expectation of essential good to proceed from it, while we retain maxims and principles which all experience, and, *I may add, reason too,* pronounce to be impracticable and absurd. Even in New England, where there is among the body of the people more wisdom and virtue than in any other part of the United States, we are full of errors, which no reasoning could eradicate, if there were a Lycurgus in every village. *We are democratic altogether;* and I hold democracy, in its natural operation, to be *the government of the worst.* If democracy has not produced among us all the mischief to which it necessarily tends, the causes are not difficult to be traced, and I am not without hopes that the same or other causes may still operate to retard and mitigate those evils which cannot be wholly averted; but it is, in my mind, expecting

<sup>1</sup> From the Pickering MSS. Printed in Lodge's "Cabot," p. 341.

<sup>2</sup> "Probably Jan. 20, in rough draft, which was sent Feb. 3." This is the explanation of Mr. Octavius Pickering, in a manuscript note appended to this letter. [H. C. L.]

too much of mankind to suppose that they will cease to act from impulse and habitually act from reflection. It is the ordinary duty of every just government to restrain men from doing what their vicious inclinations impel them to do, and coerce them to the performance of duties to which they are disinclined. Hence, in popular governments, men are driven from office for performing their duty, and others put in their places who violate theirs. The people will not knowingly employ men nor voluntarily support a government whose acts contravene their favorite purposes, which are often those of their worst passions; and it is not unusual to see men of tolerably good characters urgent to choose for rulers those whom they know to be the worst, because, though they do not approve of profligacy and immorality, yet they will not on this account sacrifice sinister objects of their own. While I hold that a government altogether popular is in effect a government of the *populace*, I maintain that no government can be relied on that has not a material portion of the democratic mixture in its composition. The great and hitherto insurmountable difficulty has been to establish and maintain the empire of principles against the assaults of popular passions. This can only be done by such an organization as supplies somewhere vital powers which the popular fury cannot extinguish. The independent judiciary was the best feature in our national system, but it is abolishing; and it may be asked who shall prevent the people from destroying their own institutions? You would hope that in New England we should be all alive to guard this sacred principle, but it is not so; and I doubt whether it is possible by any alarm of this kind to excite a zeal among the people. We look with apathy on things of this sort.

At the same time that I do not desire a separation at this moment, I add that *it is not practicable* without the intervention of some cause which should be very generally felt and distinctly understood as chargeable to the misconduct of our Southern masters: such, for example, as a war with Great Britain, manifestly provoked by our rulers. But they will not hazard a war, though they will wantonly excite much animosity. Without some single event of this kind to rouse us, I am of opinion we must bear the evils which the delusion of democracy is bringing upon us, until men of all parties in our country can be brought to acknowledge them and unite in the application of a remedy. Should this conviction be general in New England, I think something might be done, in spite of all opposition from the South; but, until it is gen-

eral, a great Jacobin party here, supported by the nation and its government, would be likely to triumph. If, as is probable, we do not find ourselves strong enough now to act with success the part proposed, I am sensible of the dangers you point out, and see no way of escaping them. We shall go the way of all governments wholly popular, — from bad to worse, — until the evils, no longer tolerable, shall generate their own remedies.

There was a time when I believed that New England might get along very well with a system of government which had proved in other times and places inadequate to the purposes of social order; but I can truly say I have despaired of our success these ten years. The prosperity of these States, and the apparent soundness of their politics, may seem to confute this opinion; but, like the "successful tide of experiment" through the United States, much is to be attributed to the incalculable advantages derived from a neutral station in a world of war. And, in regard to our present politics, let me observe, that there is no energy in the Federal party, and there could be none manifested without great hazard of losing the state government. Some of our best men in high stations are kept in office because they forbear to exert any influence, and not because they possess right principles. They are permitted to have power, if they will not use it. It is happy for us that we have a Governor whose consummate prudence conciliates opponents without detaching friends; but he will cease to be popular the moment he dares to act with vigor. It must be nearly the same in New Hampshire and Connecticut. This latter State has given the best example of a self-governed people that the world has ever seen; but its system is nearly run out, and I doubt, if every honest man in the State were united, whether they could long prevent their opponents from getting the government. Let a solid peace take place in Europe, and the strength of their government would soon appear too feeble to enforce justice. I shall not be surprised to see Connecticut as remarkable for disseminating anarchical doctrines as it has been for a contrary character. It is to be feared that the superior information of the Connecticut people, while it gives them more power to produce political effects, will *not* give them better dispositions than others. Indeed, their education increases their wants more than their means of supplying them; and such people will of necessity become ungovernable when the acquisition of property is difficult. I doubt not some of our friends from that State view this subject in the light now pre-

sented ; but they are very reluctant to admit it. The fears they discover may, however, be considered as unequivocal evidence of their private opinion. If no man in New England could vote for legislators who was not possessed in his own right of two thousand dollars' *value in land*, we could do something better ; but neither this nor other material improvement can be made by a fair consent of the people. I incline to the opinion that the essential alterations which may in future be made to amend our form of government will be the consequences only of great suffering, or the immediate effects of violence. If we should be made to feel a very great calamity from the abuse of power by the national administration, we might do almost any thing ; but it would be idle to talk to the deaf, — to warn the people of distant evils. By this time, you will suppose I am willing to do nothing but submit to fate. I would not be so understood. I am convinced we cannot do what is wished ; but we can do much, if we work with nature (or the course of things), and not against her. A separation is now impracticable, because we do not feel the necessity or utility of it. The same separation then will be unavoidable, when our loyalty to the Union is generally perceived to be the instrument of debasement and impoverishment. If it is prematurely attempted, those few only will promote it who discern what is hidden from the multitude ; and to those may be addressed, —

" Truths would you teach, or save a sinking land,  
All fear, none aid you, and few understand."

I have said that a separation *now* is not desirable, because we should not remedy the evil, but should bring it home and aggravate it by cherishing and giving new sanctions to the causes which produce it. But, if a separation should by and by be produced by suffering, I think it might be accompanied by important ameliorations of our theories.

You have doubtless seen the portraits of some of the New York patriots which are said to be good likenesses. Some observations on the subject which appeared in the "Centinel" may be thought worth reading.

You see how unstudied I give you my thoughts. With equal unaffectedness, believe me, &c.

THEODORE LYMAN TO PICKERING.<sup>1</sup>

BOSTON, Feb. 29, 1804.

DEAR SIR, — I have carefully and with much solicitude perused the communications received in your letter. There are few among my acquaintance with whom I could on that subject freely converse; there may be more ready than I am aware of, and that are kept back under an impression that they are more singular in their opinion than they really are. Patient waiting, with prudent management, by giving opportunity, when it occurs, of expressing sentiments, seems to be the only means to ascertain the opinion of gentlemen whose prudence, discretion, and good judgment are to be relied on. Many judicious and discerning men must see that one encroachment after another on the fundamental principles of the Constitution lessens its solidity. Clearly perceiving the danger, they may yet feel at a loss how to counteract a system of proceeding which they are sure will ultimately destroy it, without endangering the peace and safety of their country. There is, besides, a large class of valuable men, whose business takes up the principal part of their attention, and who scarcely ever cast their eye toward the political horizon of their country; and they, of course, do not perceive the cloud that is gathering around it. Being themselves honest and true lovers of good government, they are ready to believe, if not at least to hope, that all are like unto themselves. These good people cannot be made to look up until the cloud shall have so much thickened that their prospects are darkened, and to feel their security is in danger. That such is the state of things, may be to be regretted; but, if the picture is truly drawn, must not the remedy that is to be applied be in conformity thereto?

How the project of an adjustment, as has been suggested, would suit the dominant party, is problematical. Men seldom are content to stop at any stage of power; and, possessing it so completely as they now do, is it reasonable to suppose that any proposition founded on reason, and that would in its tendency promote the united interest of the whole nation, — is it natural, or can it scarcely be hoped, that it would be well received?

You know full well my sentiments, and will believe me ready at all times, in any way that is in my power, to do those things which in their tendency shall promote the interest of my country.

<sup>1</sup> Pickering MSS. Printed in Lodge's "Cabot," p. 446.



PICKERING TO RUFUS KING.<sup>1</sup>

CITY OF WASHINGTON, March 4, 1804.

DEAR SIR, — I am disgusted with the men who now rule, and with their measures. At some manifestations of their malignancy, I am shocked. The cowardly wretch at their head, while, like a Parisian revolutionary monster, prating about humanity, would feel an infernal pleasure in the utter destruction of his opponents. We have too long witnessed his general turpitude, his cruel removals of faithful officers, and the substitution of corruption and looseness for integrity and worth. We have now before the Senate a nomination of Merriweather Jones, of Richmond, editor of the "Examiner," a paper devoted to Jefferson and Jacobinism; and he is now to be rewarded. Mr. Hopkins, commissioner of loans, a man of property and integrity, is to give room for this Jones. The commissioner may have at once thirty thousand dollars in his hands to pay the public creditors in Virginia. He is required by law to give bonds only in a sum from five to ten thousand dollars; and Jones's character is so notoriously bad that we have satisfactory evidence he could not now get credit at any store in Richmond for a suit of clothes! Yet I am far from thinking, if this evidence should be laid before the Senate, that his nomination will be negatived! I am therefore ready to say, "Come out from among them, and be ye separate." Corruption is the object and instrument of the chief, and the tendency of his administration, for the purpose of maintaining himself in power and the accomplishment of his infidel and visionary schemes. The corrupt portion of the people are the agents of his misrule. Corruption is the recommendation to office; and many of some pretensions to character, but too feeble to resist temptation, become apostates. Virtue and worth are his enemies, and therefore he would overwhelm them. The collision of Democrats in your State promises some amendment: the administration of your government cannot well be worse.

The Federalists here in general anxiously desire the election of Mr. Burr to the chair of New York; for they despair of a present ascendancy of the Federal party. Mr. Burr alone, we think, can break your Democratic phalanx; and we anticipate much good from his success. Were New York detached (as under his administration it would be) from the Virginian influence, the whole

<sup>1</sup> Pickering MSS. Printed in Lodge's "Cabot," p. 447.

Union would be benefited. Jefferson would then be forced to observe some caution and forbearance in his measures. And, if a separation should be deemed proper, the five New England States, New York, and New Jersey would naturally be united. Among those seven States, there is a sufficient congeniality of character to authorize the expectation of practicable harmony and a permanent union, New York the centre. Without a separation, can those States ever rid themselves of negro Presidents and negro Congresses, and regain their just weight in the political balance? At this moment, the slaves of the Middle and Southern States have fifteen representatives in Congress, and they will appoint that number of electors of the next President and Vice-President; and the number of slaves is continually increasing. You notice this evil. But will the slave States ever renounce the advantage? As population is in *fact* no rule of taxation, the negro representation ought to be given up. If refused, it would be a strong ground for separation, though perhaps an earlier occasion may present to declare it. How many Indian wars, excited by the avidity of the Western and Southern States for Indian lands, shall we have to encounter, and who will pay the millions to support them? The Atlantic States. Yet the first moment we ourselves need assistance, and call on the Western States for taxes, they will declare off, or at any rate refuse to obey the call. Kentucky effectually resisted the collection of the excise; and of the thirty-seven thousand dollars' direct tax assessed upon her so many years ago, she has paid only four thousand dollars, and probably will never pay the residue. In the mean time, we are maintaining their representatives in Congress for governing us, who surely can much better govern ourselves. Whenever the Western States detach themselves, they will take Louisiana with them. In thirty years, the white population on the Western waters will equal that of the thirteen States when they declared themselves independent of Great Britain. On the census of 1790, Kentucky was entitled to two representatives; under that of 1800, she sends *six*! . . . .

P. S. I do not know *one reflecting* Nov-Anglian who is not anxious for the GREAT EVENT at which I have glanced. They fear, they *dread* the effects of the corruption so rapidly extending; and that, if a decisive step be long delayed, it will be in vain to attempt it. If there be no improper delay, we have not any doubt but that the *great measure* may be taken, without the smallest hazard to private

property or the *public funds*, the revenues of the Northern States being equal to their portion of the public debt, leaving that for Louisiana on those who incurred it.

Believe me ever faithfully yours,

T. P.

The facility with which we have seen an essential change in the Constitution proposed and generally adopted will perhaps remove your scruples about proposing what you intimate respecting negro representation. But I begin to doubt whether that or any other change we could propose, with a chance of adoption, would be worth the breath, paper, and ink which would be expended in the acquisition.

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GEORGE CABOT TO PICKERING.<sup>1</sup>

[INDORSED] RECEIVED, March 7, 1804.

MY DEAR SIR, — Our friend Ames, whose ill-health has kept him from town through the winter, made an effort to visit my family just as I closed my letter of the 14th. I put it into his hands, having previously enclosed him the one I had received from you. He read yours with pleasure, and a mingled emotion of anger which it was impossible wholly to repress. His feelings were such as your sentiments have justly inspired in the few persons to whom I have communicated them, — say Mr. Parsons and Mr. Higginson; but the second thoughts of all of us are such as you would collect from the desultory letter I wrote as mine.

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RUFUS KING TO PICKERING.<sup>2</sup>

New York, March 9, 1804.

DEAR SIR, — I have duly received, and beg you to accept my acknowledgments for, your letters of the 3rd and 4th instant. The views which they disclose ought to fix the attention of the real friends of liberty in this quarter of the Union, and the more so as things seem to be fast advancing to a crisis. To save the post, I can do little more than acknowledge the receipt of your letters. . . .

<sup>1</sup> Pickering MSS.

<sup>2</sup> Pickering MSS. Printed in Lodge's "Cabot," p. 450.

ROGER GRISWOLD TO OLIVER WOLCOTT.<sup>1</sup>

WASHINGTON, March 11, 1804.

. . . Many of the Democratic members of Congress from the Northern States have become sensible of the overbearing influence of Virginia. A few of them appear disposed to attempt some union which shall create a Northern interest, and array it in opposition to Virginia; but this disposition is by no means universal. The difficulty arises from the want of character and talents in those who have been sent to Congress. . . . Many of the others grumble about Virginia, but go every length in their votes. The particular friends of Colonel Burr are more clamorous; but these are only to be found in the delegation from New York. Some attempts have been made to unite the Northern representation, but have not succeeded. Yet it is certain that much dissatisfaction exists; and the circumstances attending the nomination of a Vice-President show that there is, in some degree, a division between the Northern and Southern Democrats in Congress. The improbability, however, of forming a Northern interest in Congress, by the union of parties, ought not to discourage exertions at home. . . . The formation therefore, of a Northern interest must commence at home. The dissatisfaction which has been created here will probably promote the object.

I have wished to ascertain, if possible, the views of Colonel Burr in relation to the general government; but having had no intimacy with him myself, and finding no one on the spot calculated, or indeed authorized, to require an explanation, I have obtained but little information. He speaks in the most bitter terms of the Virginia faction, and of the necessity of an union at the northward to resist it; but what the ultimate objects are which he would propose, I do not know. It is apparent that his election is supported in New York, on the principle of resisting Virginia and uniting the North; and it may be presumed that the support given to him by Federal men would tend to reconcile the feelings of those Democrats who are becoming dissatisfied with their Southern masters. But it is worthy of great consideration, whether the advantage gained in this manner will not be more than counter-balanced by fixing on the Northern States a man in whom the most eminent of our friends will not repose confidence. If Colonel

<sup>1</sup> See Hamilton's "History of the Republic," vol. vii. p. 781.

Burr is elevated in New York to the office of Governor by the votes of Federalism, will he not be considered, and must he not, in fact, become, the head of the Northern interest? His ambition will not suffer him to be second, and his office will give him a claim to the first rank. This is a point which, in my judgment, requires great consideration. Although the people of New England have not, on ordinary occasions, a right to give an opinion in regard to New York, yet upon this occasion we are almost as deeply interested as the people of that State can be. If any other project can be fallen on which will produce the effect desired of creating a union of the Northern States, I should certainly prefer it. We have endeavored during this session to rouse our friends in New England to make some bold exertions in that quarter. They generally tell us that they are sensible of the danger, that the Northern States must unite; but they think the time has not yet arrived. Prudence is undoubtedly necessary; but, when it degenerates into procrastination, it becomes fatal. Whilst we are waiting for the time to arrive in New England, it is certain the Democracy is making daily inroads upon us, and our means of resistance are lessening every day. Yet it appears impossible to induce our friends to make any decisive exertions. Under these circumstances, I have been induced to look to New York; and, as unpleasant as the thing may be, to consider a union in the election of Colonel Burr as the only hope which, at this time, presents itself of rallying in defence of the Northern States.

Colonel Burr leaves this place to-morrow, on his return to New York; and it may, perhaps, be in the power of gentlemen to ascertain his views. Those who are directly concerned in the election have certainly a right to demand a full explanation; and I do not see how he can refuse it.

The session will probably close before the end of the month; and I have engaged to call on the Vice-President as I pass through New York. The manner in which he gave me the invitation appeared to indicate a wish to enter upon some explanation. He said he wished very much to see me, and to converse, but his situation in this place did not admit of it; and he begged me to call on him at New York. This took place yesterday in the library. Indeed, I do not see how he can avoid a full explanation with Federal men. His prospects must depend on the union of the Federalists with his friends; and it is certain that his views must extend much beyond

the office of Governor of New York. He has the spirit of ambition and revenge to gratify, and can do but little with his "little band" alone.

In forming the Northern party, it is important to consider what the *ultimate views* of that party ought to be; and to avoid, as much as possible, embarrassing the party with men who will oppose the accomplishment of those ultimate objects.

I have no hesitation myself in saying, that there can be no safety to the Northern States *without a separation from the confederacy*. The balance of power under the present government is decidedly in favor of the Southern States; nor can that balance be changed or destroyed. The extent and increasing population of those States must for ever secure to them the preponderance which they now possess. Whatever changes, therefore, take place, they cannot permanently restore to the Northern States their influence in the government; and a temporary relief can be of no importance. The question then is, Can it be safe to remain under a government in whose measures we can have no effective agency? If the views of the Southern States were in unison with ours, if the system of policy which they wish to pursue equally affected every part of the Union, there would be some security under their management; and, although we might be excluded from a participation in the power, yet we might expect to find our interests promoted by measures which promoted their own. But, unfortunately, this is not the case. Their enmity to commerce, on which our prosperity depends, is riveted and unyielding. Besides, there is an inveterate enmity and jealousy of the Northern States, which pervades every part of the Southern and Middle States. This spirit is evidently increasing. Since they have obtained the power, they have become arrogant, and appear determined to carry this spirit into all classes of society, with a view of riveting the prejudices so strongly as to prevent a union of views between North and South, under all future circumstances. What, then, are we to expect under the management of the most intelligent of those people? Must we not continue to pay the principal part of the expenses of government, without receiving in return either patronage or protection?

Without considering, therefore, that dreadful system of Jacobinism which at this time governs our public counsels, can we hope for prosperity from the present Union and government? But if we add to those considerations the dangers which immediately

threaten us, can there be room for doubt? . . . For one, therefore, I do not look to a Southern combination for the purpose of correcting the views of the national government. I believe the vices of this government incurable. The thing itself is radically wrong.

With these views, I should certainly deem it unfortunate to be compelled to place any man at the head of the Northern interest who would stop short of the object, or would only use his influence and power for the purpose of placing himself at the head of the whole Confederacy as it now stands. If gentlemen in New York should entertain similar opinions, it must be very important to ascertain what the ultimate objects of Colonel Burr are. It must occur to every Federal man that objections of a very serious nature oppose the election of Colonel Burr, whether that election is viewed in relation to a general union of the Northern States, or in relation to the power which the office will give a man of Colonel Burr's talents and ability to oppose a more partial union, if it should be attempted. But; my dear sir, what else can we do? If we remain inactive, our ruin is certain. Our friends will make no attempts alone. By supporting Mr. Burr, we gain some support, although it is of a doubtful nature, and of which, God knows, we have cause enough to be jealous. In short, I see nothing else left for us. *The project which we had formed* was to induce, if possible, the legislatures of the three New England States who remain Federal to commence measures which should call for a reunion of the Northern States. The extent of those measures, and the rapidity with which they shall be followed up, must be governed by circumstances. The magnitude and jealousy of Massachusetts would render it necessary that the operation should be commenced there. If any hope can be created that New York will ultimately support the plan, it may perhaps be supported. . . . I have examined the interest which the people of the Northern States have in the funds, and I find it considerably less than the proportion of debt which these States ought to pay. This arises from the large purchases made by foreigners in the funded debt; so that it will be in our power to charge ourselves only with our just proportion of the debt, and still do justice to our own people. And with the superior means which we shall possess, it may be easily accomplished. We may also liberate ourselves entirely from the Louisiana stock, and leave that to be paid by those for whose benefit it was created. Our proportion of the funded and Dutch debt, when compared with

our means, will be nothing ; and we may manage our affairs in our own way.<sup>1</sup>

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PICKERING TO THEODORE LYMAN.<sup>2</sup>

CITY OF WASHINGTON, March 14, 1804.

DEAR SIR, — I have received your letter of the 29th ult. Considering your connection with a certain cousin of yours, I thought it possible that you might deem it proper to start the idea to him. I had written to G. Cabot on the same subject. He had communicated my letter to Theophilus Parsons, S. Higginson, and Mr. Ames : they think the measure premature, while they deplore the existing evils and our future prospects. The idea suggested for your consideration is certainly extending, in Connecticut especially ; and it begins to be entertained in New York. The character and proceedings of the virulent Clintonians in that State, with the declining of Chancellor Lansing to be the candidate for Governor, will vastly aid Mr. Burr's pretensions ; and, from the intelligence we have here, we expect that Mr. Burr will be elected. This will break the Democratic phalanx of that State, and prepare the way for the contemplated event. Mr. Burr's administration will be more liberal than that of the Clintonian or of the general government.

As for the Constitution, 'tis mere paper, to be folded into any shape to suit the views of the dominant party. Little regard is had, in deciding political questions, to it or to justice ; and a great part of the public measures have a bearing on politics, being calculated to depress the Federalists and to increase the power and

<sup>1</sup> This letter is given as printed in Hamilton's "History of the Republic." The narrative there goes on as follows, but without citing authorities : "In pursuance of the appointment, an interview took place between this member and Burr at the residence of the latter in New York, on the 4th April. With the same cautious non-committal he had shown during the Presidential election and recently at Washington, Burr stated that 'he must go on democratically to obtain the government ; that, if he succeeded, he should administer it in a manner that would be satisfactory to the Federalists. In respect to the affairs of the nation, Burr said that the Northern States must be governed by Virginia or govern Virginia, and that there was no middle course ; that the Democratic members of Congress from the East were in this sentiment, some of those from New York, some of the leaders in Jersey, and likewise in Pennsylvania.' The effect of this conversation was to induce the member to wish Burr success, which would, it was supposed, be much affected by the result of the election in Connecticut, then near at hand."

<sup>2</sup> Pickering MSS. Printed in Lodge's "Cabot," p. 460.



influence of their opponents. We have this day, upon an *ex parte* hearing, and against the testimonies of many respectable men of the insanity of Judge Pickering, district judge of New Hampshire, adjudged him guilty of high crimes and misdemeanors, and sentenced him to be removed from office. Justice should have presided at this trial, but was not admitted; nor will she again find a place in the court of impeachment. The *demon* of party governed the decision. All who condemned were Jeffersonians, and all who pronounced the accused not guilty were Federalists. Some members retired without giving any vote. I am told that the "*Aurora*" has published that Mr. Harper was heard in defence of Judge Pickering; but *'tis false*. He was permitted to read a petition from Judge Pickering's son, setting forth his father's insanity and utter inability of body to appear in person to read his depositions, to prove the suggestions in the petition, and to enforce the prayer of it that the cause might be postponed. But Mr. Harper explicitly stated that he did *not appear* for Judge Pickering, but merely as his son's friend, and the friend of the court, to present and support the suggestions in his son's petition.

I am this moment informed that the House of Representatives have resolved to impeach Judge Chase. You may conclude he will be condemned. If a considerable majority of the House were to impeach any man in the United States, he would by the Senate be found guilty; because there could be no doubt that these measures originate with the administration, are made questions of *party*, and therefore at all events to be carried into effect according to the wishes of the prime mover. There will, to be sure, be some stretching of conscience. If several of the Senators were left to decide the questions *individually*, their consciences would give way; but, when a number of consciences are *joined together*, they will bear much rough usage without being rent. Judge Chase will not be brought to his trial this session; for we hope to adjourn in two weeks. Disgusted and shocked with the proceedings of the ruling sect, I long to get away from such scenes of political profligacy and injustice. I have just now heard mentioned the means used to obtain the assent of Rhode Island to the alteration of the Constitution relative to the choice of President and Vice-President. The profligate rulers of that profligate State, it is said (and I believe truly), agreed to adopt the amendment; provided the Federal officers in the State, especially the collectors of the customs, were removed, and that Jefferson promised to remove them. This, how-

ever, will not be done until Congress rises. He is fond of removing and appointing in the recess. The outrage becomes an old story before it is necessary to nominate the same men to the Senate.

Under such a man, and with the means he possesses and can command, corruption will continue to make rapid progress, all power will be thrown into the hands of his party in all the States, and the Federalists will curse the day which detached them from the milder government of the mother country.

Such is the fate which awaits us, and we shall live to see it: yes, the next Presidential term will not elapse before what is now anticipated will be verified. One or two Marats or Robespierres in each branch of the legislature, with half a dozen hardened wretches ready to co-operate, a greater number of half-moderates, another portion of gaping expectants of office, another of the ignorant and undiscerning, with the many timid characters, — will constitute a large majority, up to any measure which the revenge, the malice, the ambition or rapacity of the leaders shall propose. It will be enough to render every such measure popular, to declare its object to be to crush aristocracy and monarchy, and to secure liberty and Republicanism.

And are our good citizens so devoted to their private pursuits that they will not allow themselves time to look up and see the gathering cloud? Will nothing rouse them but its thunder, or strike their eyes save the lightning bursting from its bosom?

I am, indeed, sick at heart to see of our Revolutionary toils, dangers, and sufferings, such a result, and in the short space of twenty years! “A virtuous and enlightened people!” The ear is wounded by prostitution of those epithets. And is our case really hopeless? I have little to lose, except life, and that, verging to threescore years, is not worth much; yet I would fain die in peace, or, if that be denied, perish in the hope of leaving it an inheritance to my children, under a free government, established on surer foundations than that which only fifteen years ago we embraced with so much ardor. The experienced errors of the latter might, one would hope, be remedied under a Northern confederacy. Are stability, justice, and tranquillity incompatible with Republicanism?

You have mistaken, or I did not clearly express my meaning with regard to an *adjustment*. That must be a *subsequent* measure. If the States I mentioned were united, the rest would not dare to lift a finger against them. After the confederacy of the former should be fixed, the terms of intercourse with the others and the distribution of existing burdens would be agreed on.

STEPHEN HIGGINS to PICKERING.<sup>1</sup>

MARCH 17, 1804.

DEAR SIR,—I have seen your letters to Mr. Cabot and Mr. Lyman on the question of separation, which is a very delicate and important one, considered in the abstract. We all agree there can be no doubt of its being desirable; but of the expediency of attempting it, or discussing it now at this moment, we all very much doubt. It is dangerous to continue under the Virginia system: but how to extricate ourselves at present we see not; and, if we remain long together, we shall be bound with so many ligatures it will require great efforts to get extricated; and, in the present state of the public mind, even here no attempt can be excited. It would indeed be very unpopular to suggest the idea of its being either expedient or necessary. It is impossible to alarm, much less to convince, a large portion of the Federal party here of their danger. A small part only of those called Federal, and who in common cases usually go with us, are sound in their opinions, and willing to look into their real situation. Many even of our own party have as much yet to unlearn as to learn. They have yet much of the Democratic taint about them; and, with this nonsense in their brains and the influence of a former great man and his friends, who will seize every occasion to keep up a division in the Federal party here, we should be put into the background, were we to make that question the subject of free conversation. As, in the present state of things, it would be imprudent even to discuss the question, we must wait the effects of still greater outrage and insult from those in power before we prepare for the only measure which can save the New England States from the snares of Virginia.

Democracy is rising, and will increase in this State. Our elections may this year give us a majority in both Houses, and Governor Strong; but, without some favorable events, the Democrats will succeed another year, and we shall be revolutionized, and the other States will follow. Such is my view of our situation: it is the natural effect of existing causes which will produce the change I contemplate, and I see no means in our power to control their operation. But as we may at times check, perhaps modify and often mitigate, by a vigilant and steady opposition, the effects of revolu-

<sup>1</sup> Pickering MSS. Printed in Lodge's "Cabot," p. 453.

tionary measures, and give ourselves the chance of the chapter of accidents for a longer period of time, I am for remaining at our posts, ready to seize every favorable event and to keep the robin alive as long as we can.

Wishing as much success and happiness as can attend you, I am very truly yours, &c.

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GEORGE CABOT TO RUFUS KING.<sup>1</sup>

Boston, March 17, 1804.

MY DEAR SIR, — In reply to your inquiry respecting the opinions of our legislature on the subject of Louisiana, I can only speculate. The session is ended, and no one attempted to discover what was thought or what might be done. We add thousands to our possessions, but have long since discarded the idea of *security*. The *many* do not think at all, and the *few* think only to despond. Indeed, most men are compelled to admit that *our evils must be borne until their intolerability generate their cure*. Most of those which we fear must therefore happen before a remedy can be prescribed. An *experiment* has been suggested by some of our friends, to which I object that it is impracticable, and, if practicable, would be ineffectual. The thing proposed is obvious and natural, but it would now be thought too bold, and would be fatal to its advocates as public men; yet the time *may* soon come when it will be demanded by the people of the North and East, and then it will unavoidably take place. I am not satisfied that the thing itself is to be desired. My habitual opinions have been always strongly against it; and I do not see in the present mismanagement motives for changing my opinion. It is doubtless true that we are not so perfectly mad in New England as the people in some other States, especially those of the South; but here we are altogether democratic in our principles, and those principles of necessity place power in the worst hands. If the favorable aspect of our State politics seems to contradict my opinion, I confess that those principles have not *yet* produced all the mischief to which they tend; but, at the same time, I insist that our appearance is deceptive, being better than the reality, and the reality better than can be well maintained. You see good men in high office here, contrary to the natural oper-

<sup>1</sup> Printed in Lodge's "Cabot," p. 345.

ation of democratic election; but those men hold their powers upon the sole condition that they will not use them, and the moment they shall dare to exercise them with vigor they will cease to be popular, and of course cease to fill the high offices they now hold. There is an unusual apathy among the Federalists here. They have lost more of their vivacity than of their numbers. I fear they lose some of these. Our national administration may destroy judiciaries and constitutions, and make new ones, without exciting much sensibility; but, if they had involved us by their folly and baseness in a war with Great Britain, I believe New England might be roused to do *any thing* which her leading men should recommend. Some distinct general cause of evil like this, and fairly imputable to the wickedness or ignorance of those who govern, would be fatal to their power or to the Union of the States. We are loyal to the national government, and can bear every species of public dishonor; but, the moment our loyalty appears to be made the instrument of our *impoverishment*, we shall be disposed to act with effect in defence of *all that is dear to us*. In the moral as in the natural world, we must in all operations consult the tendency of general laws. It is vain to attempt sailing against wind and tide: we ought to have the influence of one in our favor to make considerable progress, and of both to make the greatest. The longer I live, the more I think on the nature of man and of society, the more I am convinced of the absurdity of expecting ever to see a *self-governed people*, as we understand the terms. Men will act from the impulse of their passions. These lead them to seek power, property, &c., by means incompatible with order and justice. Government to enforce these is called to counteract and coerce those who (on our principles) have the control of the government. We love virtue and virtuous men; but we respect power only, and the powerful. If we choose a man to office, we displace him for doing the duties of it when these thwart our sinister views; and then it happens that good men are often found co-operating in the election of the bad, and to the exclusion of those whom as *men* they truly esteem. It is folly to expect mankind will act otherwise; and, therefore, although *the people must have a great share in every good government*, yet that share should not be so great as to destroy it at pleasure, or by the word of their mouth to impede its just offices. Viewing the subject in this light, I contemplate with pleasure the prosperous course of our affairs for many years past, and feel neither surprise nor disappointment at the change which is com-

menced. The first part has been better than we had any right to expect; and without derogating from the transcendent worth of men, who did every thing that time and circumstances would allow, I must attribute the success of their public measures in a great degree to favorable accidents, which, though external, have acted with great force on our internal affairs. We are now going on according to the course of nature, and shall follow those who have gone before us from bad to worse, till suffering, or the fear of suffering, *generally and deeply felt*, stimulates us to do better. Indeed, I expect no essential improvements in our systems but from suffering, from fear, or from force. I think no material change can be made except by those whom we call Jacobins. Good men would not, if they had opportunity, establish any system of sufficient force to protect itself. The violent and unprincipled are more likely to make a government independent of popular consent than their betters. I beg you, however, not to infer that, because I think we cannot do things impossible, I would not attempt every possible good, or that I do not think any great good can be accomplished. So far would that be from the truth, that I firmly believe we owe much of what we enjoy, and of what we hope for, to the influence of the Federal party. We are a minority, and unable to conquer the vast body which keeps the field; but we are so powerful that he is compelled to confine his movements to a narrow compass, lest he should give us an advantage over him. We have, therefore, the most commanding motives to preserve to our party all the weight we can, by adhering to the principles on which it is formed, and keep it well combined and well informed, prepared to think and act alike on every important occasion. In this way, we prevent some mischief entirely, and mitigate what we cannot wholly avert, and shall be able to soften every catastrophe in the political drama which must happen, and turn them to the best account. . . .

I should rejoice to see Burr win the race in your State; but I cannot approve of aid being given him by any of the *leading* Federalists.

When you next meet Hamilton, Benson, and Wolcott, give my affectionate regards to each of them.

Your faithful and affectionate friend,

G. C.

FISHER AMES TO PICKERING.<sup>1</sup>

DEDHAM, April 22, 1804.

MY DEAR SIR, — . . . . My health is good for nothing, but no worse than it has been, and not wholly to be despaired of. If Jacobinism makes haste, I may yet live to be hanged.

Some of our mutual friends say all is lost, — nothing can be done. Nothing is to be done rashly; but mature counsels and united efforts are necessary in the most forlorn case. For, though we may not do much to save ourselves, the vicissitudes of political Fortune may do every thing; and we ought to be ready when she smiles. The fact is, our people know little of the political dangers; the best men at least ought to be made to know them, and to digest at least the general outlines of a system. When the General Court convenes, this might be matured and extensively impressed.

ALEXANDER HAMILTON TO THEODORE SEDGWICK.<sup>2</sup>

NEW YORK, July 10, 1804.

MY DEAR SIR, — I have received two letters from you since we last saw each other — that of the latest date being the 24th of May.

I have had on hand for some time a long letter to you, explaining my view of the course and tendency of our politics, and my intentions as to my own future conduct.

But my plan embraced so large a range, that, owing to much avocation, some indifferent health, and a growing distaste for politics, the letter is still considerably short of being finished. I write this now to satisfy you that want of regard for you has not been the cause of my silence.

I will here express but one sentiment, which is, that dismemberment of our empire will be a clear sacrifice of great positive advantages, without any counterbalancing good; administering no relief to our real disease, which is *Democracy*; the poison of which by a

<sup>1</sup> Pickering MSS.

<sup>2</sup> Printed in Hamilton's Works, vi. 507. See also J. C. Hamilton's "History of the Republic," vii. 823. This letter was written the day before Hamilton's death, and in view of the possibility of that event. It was the last political letter written by him, and was evidently intended as a general answer to all argument on the point in question.

subdivision will only be the more concentrated in each part, and consequently the more virulent.

King is on his way to Boston, where you may chance to see him, and hear from himself his sentiments. God bless you!

A. H.

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PICKERING TO G. H. ROSE.<sup>1</sup>

WASHINGTON, March 13, 1808.

DEAR SIR, — You know my solicitude to have peace preserved between the two nations; and I have therefore taken the liberty to express to you my opinion of the true point of policy to be observed by your government towards the United States, in case your mission prove unsuccessful: that is, *to let us alone; to bear patiently the wrongs we do ourselves*; in one word, amidst the irritations engendered by hatred and folly, *to maintain a dignified composure, and to abstain from war*. Relying on this, that, whatever disposition exists to provoke, there is none to commence, a war on the part of the United States.

But not satisfied with the expression of my own opinion, and in a matter of such infinite moment feeling an anxiety that, if it were correct, it might be confirmed by the opinions of some of our wisest statesmen and best citizens, in whose judgments I confide much more than in my own, I have sought for those opinions with the view of communicating them to you. In a late letter to Mr. King, I recollect the enforcing of my opinion by sentiments of this sort: That a new war between the U. S. and G. B. would revive the memory of former strifes, with all their topics of hatred and ill-will; would increase existing prejudices, and excite such bitter resentments as hardly any length of time would remove. To that letter I received the enclosed answer, which I communicate with the greater satisfaction because Mr. King is well known to your government for his distinguished talents, correct views in political affairs, and great respectability of character. At this moment occurs to me the remark made to me by the late excellent Mr. Hamilton in 1796, when he expressed to me his desire that Mr. King might be sent to London: "He is the fittest man in the U. S. to represent us at that court."

In the vastly extended field in which your ministers have to act, this broad corner of it demands and receives their attention. I

<sup>1</sup> British Minister at Washington. From the Pickering MSS.



also know that, in the present unexampled state of the world, our own best citizens consider the interests of the United States to be interwoven with those of Great Britain, and that our safety depends on hers. Men thus enlightened, could they control the measures of their own government, would give them a direction mutually beneficial to the two nations. Of the opinions and reasonings of such men, I wished you to be possessed. And it was for this purpose chiefly that I have more than once expressed to you my hope that you would see them in person, by travelling through the country as far as Boston.

Given up as the people are to strong delusions, to believe lies, it seems impossible that the general deception should continue a great while longer.

The embargo will touch their bone and their flesh; when they must curse its authors. If there should be no urgent cause for our coalescing with France, and a war with Great Britain would throw us into the arms of France, the nation will recover its understanding, and at length see where its true interest lies.

Another consideration: In one year Mr. Jefferson's reign will have an end; and, if even Mr. Madison should succeed him, — and he will never acquire his ascendancy over the mind of the people, — more serious mischiefs may be prevented. But it is extremely problematical whether Mr. Madison will be the next President; and, with such a change in the head of our government, its policy will change, and in a manner propitious to the continuance of peace.

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#### G. II. ROSE TO PICKERING.<sup>1</sup>

WASHINGTON, March 18, 1808.

DEAR SIR, — You will, I am sure, recollect the feelings I expressed to you the instant you touched in our late conversation on the subject of your letter; you will therefore readily conceive the satisfaction I derive from the sanction of your confirmed and still further reflected opinion, supported as it is by that of such a man as Mr. King. I have not confined myself to speculative feeling, but have acted in consequence of the conviction which I deeply entertain. I avail myself thankfully of your permission to keep that gentleman's letter, which I am sure will carry high authority where I can use it confidentially, and whither it is most important

<sup>1</sup> Pickering MSS.

that what I conceive to be right impressions should be conveyed. It is not to you that I need protest that rancorous impressions of jealousy or ill-will have never existed there; but it is to be feared that at some time or another the extreme point of human forbearance may be reached. Yet at the present moment there is, I think, a peculiarity of circumstances, most strange indeed, which enables the offended party to leave his antagonist to his own suicidal devices and self-torment, unless in his contortions under them he may strike some blow which the other might not be able to dissemble.

The night of delusion appears to vanish rapidly: may no clouds obscure the rising sun! If the day breaks fairly, it will be daylight not only to yourselves, but to dear and important and universal objects, seen more clearly through the darkness which blinds so many, by none, or more forcibly, than by yourself.

It is very grievous to me to be obliged to renounce the hope of reaching that part of the Union where for every reason I should feel myself the most at home. The state of things here and in England, where Parliament is sitting, must, I fear, compel me to take a straight course.

It gave me the most cordial satisfaction to see that manful exertion of patriotism, your letter, in a New York paper. You indeed lift up the curtain, and let in the daylight where it will not be very welcome, with a strong and masterly hand. You give them "day," as it were, and bid them "Awake, and open their eyes, and see," with a voice of thunder.

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PICKERING TO G. H. ROSE.<sup>1</sup>

CITY OF WASHINGTON, March 22, 1808.

DEAR SIR, — Last evening I gave you a letter from George Cabot, Esq., of Boston, one of my early friends, and one of the best of men, and as enlightened as he is good. Ten or twelve years ago, he was a Senator in Congress from Massachusetts; but though eminently well informed in political and commercial subjects, yet always adverse to public life, he retired to resume the quiet enjoyment of the pleasures of his domestic circle, and of a select society of friends, and of the studious leisure of a contemplative mind. You will read his letter again and with fresh interest:

<sup>1</sup> Pickering MSS.

and I pray you to consider it as the result on its subject of whatever there is of political wisdom and real patriotism in Massachusetts; for the best and most enlightened in that State are his friends and associates.

On my return to my lodgings, I found another letter from Mr. Cabot, which came by the last evening's mail; and, as it is on the same subject, I send it to you for the same purpose as the former.

Governor Sullivan's letter, of which Mr. Cabot speaks, has been published by his order, evidently as an apology to the people for his not laying my letter before the legislature. My answer had not then reached Boston; but having a copy, I enclose it, together with the Governor's letter, for your amusement. The latter you will find in the enclosed "Boston Repertory," with some editorial remarks. I also enclose a newspaper printed in Northampton, an interior town in Massachusetts, in which you will find some interesting matter.

In the "National Intelligencer" of yesterday, in the remarks on my letter of February 16th, to Governor Sullivan, you will see mentioned "Essex Junto," among whom the editor has honored me with a place. This may need explanation to a stranger.

Having then been absent many years from my native State, I think the first time I heard the phrase was from the mouth of the late President Adams, just at the moment when he succeeded George Washington in the Presidency. He had understood that the persons comprehended in the term "Essex Junto" had opposed, at least had not favored, his election (they all knew his pride, his vanity, and his eccentricities), and thereby had committed a deadly sin. Mentioning this to me with some warmth, and in language not very dignified, he pronounced the names of those gentlemen who were confessedly the principals in that society of friends, which he called the Essex Junto, just as I have written them: "George Cabot, Thoph. Parsons, and Steph. Higginson." These gentlemen now live in Boston, in Suffolk County. Mr. Cabot's character I have already given you; Mr. Higginson is one of the best-informed and most intelligent of our merchants; and Mr. Parsons is so eminent a lawyer, and I must add a man of universal science, that in New England he is often designated by the "giant of the law." He is now chief justice of Massachusetts, and would do honor to either bench in Westminster Hall. These three gentlemen happened all to have been born in the county of Essex. I esteem it

fortunate that the same county gave me birth, and my highest honor to have those gentlemen for my friends.

I commit to your care a letter to my nephew, Mr. Samuel Williams, merchant in London, and late the Consul of the United States in that city, from which station he had the honor of being removed by Mr. Jefferson. My nephew is a man of worth, of unsullied integrity, and, of course, possessed of the entire confidence of numerous merchants in America, who intrust their business to his management. Let him, if you please, be the medium of whatever epistolary intercourse may take place between you and me.

My very worthy friend, Colonel Talmadge, has just handed me a letter addressed to Junius Smith, Esq., to the care of Mr. Rowlet, London; for I assured him it would give you pleasure to cause it to be delivered.

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G. H. ROSE TO PICKERING.<sup>1</sup>

ALEXANDRIA, March 23, 1808.

DEAR SIR, — The favor of your letter — and let me in the old phrase call it a much-esteemed one, — reached me yesterday evening, but just as I was setting off for this place, whence I fall down the Potomac this day. It would have especially grieved me to have missed it, as the last mark I can receive in America of the good-will of one of her truest patriots and most distinguished citizens, to have conciliated whose favorable opinion will be one of the most consoling circumstances of my unavailing expedition.

I set a great price upon Mr. Cabot's letter, as containing enlarged and enlightened views, admirably calculated to produce the result we so ardently desire, — the common good of the two nations, the most naturally allied that exist, and whose interests force them at this moment so imperiously together that I much doubt whether the art of man can long keep them asunder. You know the vocation I am eager to labor in, and wherefore I hasten my departure, relinquishing for it, under a paramount sense of duty, my object of seeing that part of the United States the most estimable in the eyes of an Old Englander, and the most congenial to his feelings and ideas.

Your unfortunate correspondent is a mere child in your hands. It has not been often that I have seen so unequal a conflict; and the dignified, yet simple gravity, with which as it were, without

<sup>1</sup> Pickering MSS.

meaning to ridicule him, but by the force of the thing, you bring him into absurd positions, has afforded me extreme satisfaction.

The Essex Junto, such as you have the goodness to describe it to me, must be indeed an honorable confraternity, especially if its brethren are all such, or nearly such, as the only one of them I have the advantage of being personally acquainted with.

Pray say to General Talmadge, that I shall now, and at all times, take his orders with real pleasure. Your letter to your nephew shall be taken equally good care of; as your relation alone, I should be anxious to know him. Through him I will gladly avail myself of the means you afford me of communicating with you.

Not having had a moment to write last night, I do it now by a safe conveyance. Farewell, my dear sir: accept the assurances of no common regard and esteem.

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G. H. ROSE TO PICKERING.<sup>1</sup>

LONDON, May 8, 1808.

DEAR SIR, — Your modesty would suffer if you were aware of the sensation produced in this country by the publication of a letter from a Senator of Massachusetts to his constituents. We are less in want of light upon the matter of it than some of those to whom it is addressed; but so strange a perversion of facts and such sophistry had been exhibited by the opposition here on recent transatlantic matters, that it was highly desirable that a representation so able, authentic, and luminous should be laid before our public.

I have the infinite satisfaction of saying that I find every thing here as nearly as possible as I could wish it; if impressions of the nature most devoutly to be wished for were found, no effort or opportunity have been neglected to strengthen and to render them profound. In this task, — one, too, in which the effort shall not be relaxed, — very great utility has been derived from the communication of two admirable letters furnished by a venerable and most respected friend, and addressed to him by a gentleman whose name was not necessary to give them the weight they intrinsically carried with them, but whose name alone would have supplied it.

. . . Our public spirit is as high as I have ever seen it; our finances, in a state of unexampled prosperity and receipt, — our

<sup>1</sup> Pickering MSS.

three-per-cent funds were last week at above 68, and are now within an eighth of 68. Our price of wheat is moderate: the last average of it was 78 shillings per quarter, or £17. 10 per load; and the prospect of the crop of this year excellent. Adieu, my dear sir. I cannot too strongly assure you of my cordial esteem and strong regard.

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G. H. ROSE TO PICKERING.<sup>1</sup>

LONDON, Aug. 4, 1808.

MY DEAR SIR, — It is indeed with singular satisfaction that I learn from you the primary effects of the embargo: not as realizing my view of it, but as defeating the mischievous purposes for which it was imposed, and opening the eyes of the deluded part of your fellow-citizens upon the real interests of the two countries, and thence leading them in a course adapted to these interests, which I know not how it could have been effected by any other measure so well or so decisively; for they never would have been brought to just and moderate views towards this country, upon whose weal the existence of the civilized world depends, until it was ascertained that they had not those means of annoyance and control which they always imagined they had in reserve in this measure; and that, moreover, whilst it produces to us little, very little, present evil, it does us much present and much permanent good. You best know how the account stands on this head with you. It should seem as if Providence willed the defeat of the calculations upon which it was built. Such was our last harvest, and such is that now reaping, that, whilst our usual supply from Europe and America has for months been denied us, wheat hardly affords our farmers a living profit, although we have had the West Indies to supply in part.

Your intimate connections with Massachusetts alone have made me take a lively interest in the return to sound principles of that most important member of the New England States. In Professor Adams's downfall, at which I cannot but be amused, I see but the forerunner of catastrophes of greater mark. This practical answer of your common constituents to his reply to you was the best possible. By his retreat, he admits his conviction that you were the fitter representative of the State legislature. In the conversion of Massachusetts, I see the augury of all that is of good promise with you.

<sup>1</sup> Pickering MSS.

Let me thank you cordially for your answer to Governor Sullivan. It was an unintentional kindness on his part thus to compel you to bring to the public eye the narrative of a life so interesting, so virtuous and honorable. Receive the assurance of how anxiously I hope that, though gratitude is not the virtue of republics, the remaining years of that life may receive from yours the tribute of honor and confidence it has so many claims to. In so wishing, I wish the prosperity of your country.

The omission of any mention of the U. S. in the King's speech at the close of the session of Parliament was not meant epigrammatically, tho' it might be so construed. It would be grievous were we to say or do any thing which might by any possibility perturb the operation of things which are producing effects so salutary on your side of the water.

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CABOT TO PICKERING.<sup>1</sup>

Oct. 5, 1808.

MY DEAR SIR,— . . . . .

Since the within writing, I have seen from several quarters letters expressing apprehensions that a disunion of the States is meditated by the Federalists. Some Federalists have been made to believe there was foundation for these insinuations, and the Democrats at the Southward are using this story to deter men from acting with the Federalists. I think, therefore, it will be well to pass some very decided resolution on the importance of maintaining the Union inviolate under every trial, &c.

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H. G. OTIS TO JOSIAH QUINCY.<sup>2</sup>

Boston, Dec. 15, 1808.

MY DEAR SIR,—Your friends are highly flattered and edified by the honorable and zealous exertion of talent which you have displayed in the defence of the interests of your country. Your several speeches, in connection with those of our senatorial friends, have left nothing to be said or wished for; and, though the Federal phalanx is deplorably small, it combines all the variety of force, eloquence, and argument necessary for the contest, and sufficient to overwhelm all opposition that is not defended by the impene-

<sup>1</sup> Pickering MSS. Printed in Lodge's "Cabot," p. 308.

<sup>2</sup> Reprinted from Edmund Quincy's "Life of Josiah Quincy," p. 164.

trable mail of ignorance and impudence. Judging from appearances, there seems but little prospect of your preventing by any means a perseverance in the fatal and unheard-of policy on which the administration seems fully bent, and it becomes of great importance that the New England Federalists should determine whether any aid can be furnished by the legislatures of this session, and, if beneficial effects are to be expected from this quarter, the object should be defined and the means concerted. Our general court will soon meet, and I doubt not the majority will require the bridle rather than the spur. If I am not mistaken, there will be found among them a fulness of zeal and indignation which can be mitigated only by giving them a direction and an object. This temper, you are sensible, must not be extinguished for want of sympathy, nor permitted to burst forth into imprudent excess. We must look to our friends in Congress for advice. You are together, and can best decide on such a course as would probably be agreed to by Connecticut, New Hampshire, &c., and no other ought to be adopted.

You are sensible how obnoxious Massachusetts, for a thousand reasons, has already become, and perceive more plainly than any of us the efforts which are made to mark and distinguish this State as the hotbed of opposition, and this town as the citadel of a British faction. Perhaps our legislature have said as much as is expedient for them to say, unless they are to be supported by a correspondent spirit in the other States. It would be a great misfortune for us to justify the obloquy of wishing to promote a separation of the States, and of being solitary in that pursuit. The delusion would spread among our wavering or timid adherents, and furnish great means of annoyance to our inveterate adversaries. It would change the next election, and secure the triumph of the dominant party. On the other hand, to do nothing will expose us to danger and contempt: our resolutions will seem to be a flash in the pan, and our apostate representatives will be justified in the opinions which they have doubtless inculcated of our want of union and nerve. What, then, shall we do? In other words, What can Connecticut do? for we can and will come up to her tone. Is she ready to declare the embargo and its supplementary chains unconstitutional, — to propose to their State the appointment of delegates, to meet those from the other commercial States in convention at Hartford or elsewhere, for the purpose of providing some mode of relief that may not be *inconsistent with the union of these States*, to which we should adhere



as long as possible? Shall New York be invited to join? And what shall be the proposed objects of such a convention?

It is my opinion, if the session of Congress terminates as we have reason to expect, that recourse ought to be had to some such plan as this, and that the only alternative is, in *your* dialect, submission. But some other State ought to make the proposal, for obvious reasons. Will you, my good sir, talk over this subject with our little Spartan band, and favor me in season with the result of your collected wisdom? Let me know whether you think any good effect would be produced in *Congress* by hints of this kind in the public papers. Sometimes I fear that we are so neutralized by our accursed adversaries that all efforts will be ineffectual, and that we must sit down quietly and count the links of our chains; but then again their system appears so monstrous, so unprecedented, so ruinous, that I think the time will come that must make resistance a duty.

Remember me with respectful regards to my friend Mr. Lloyd, and believe me very truly, dear sir, your obedient servant and friend.

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C. GORE TO PICKERING.<sup>1</sup>

Boston, Dec. 20, 1808.

MY DEAR SIR, — We are much obliged to the Federalists in Congress who have taken the trouble to expose the weakness and wickedness of our administration in their late measures, as well as the inefficiency of these measures to do harm to any but themselves.

If the motives in which this fatal embargo originated could be doubted, after your development in the spring, they have been completely demonstrated in your last speech on this subject.

Our legislature will convene on Jan. 24, and what will be proper for us to do under the circumstances of our times is doubtful. To ascertain the most useful course to be pursued on this occasion fills our minds with deep and anxious solicitude. Notwithstanding the remarks from some of your chaste orators and supple courtiers, the mass of the people of this State are much more daring in their means and measures of opposition to the imbecile and profligate men who have disgraced our councils, and degraded our nation, the last eight years, than the persons whom they are pleased to style their leaders. When the electors met, we had an opportunity of

<sup>1</sup> Pickering MSS.

learning the sentiments of the people in all parts of the Commonwealth. You may be assured we shall have no easy task to temper the zeal of our Representatives when they assemble. They see nothing but destruction of their property, and slavery of their persons, in the present course, and indeed he must be a man of strong view who can discern a ray of light whereby we can extricate ourselves from this labyrinth. By conversing with our friends from the other New England States, you might be able to know in what measures and to what extent they would be willing to co-operate with Massachusetts. The opposition, to be effectual of any change in our rulers, should comprehend all New England. These men, I fear, are too inflated with their own popularity to attend to any call short of this. Unless, therefore, we can unite both as to the manner as well as to the end, it may be doubtful whether, if we can, we ought not to prevent the State taking any further steps this winter, in regard to the national government. Though I do not believe it will be in our power to oppose successfully, for any length of time, the display of such hostility as will shake our Union to the centre, and raise such a fever as our Southern surgeons cannot speedily allay with all their talent at blood-letting, yet I give credit to these gentlemen for their dispositions, and for an unyielding firmness of nerve that would bear with complacency the desolation of our land and the destruction of Yankee life and property, so be that it should remove all distrust as to the perpetuity of their despotism.

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PICKERING TO C. GORE.<sup>1</sup>

CITY OF WASHINGTON, Jan. 8, 1809.

DEAR SIR, — I duly received your letter of the 20th last. The period had not arrived when I could suggest any practical ideas on the measures to be taken by our State legislature, and therefore delayed my answer; but, if I were to wait until I could write to my own satisfaction, I should still be silent.

It is scarcely conceivable that Mr. Jefferson should so obstinately persevere in the odious measure of the embargo, which he cannot but see has impaired his popularity and hazards its destruction, if he were not under secret engagements to the French emperor; unless you can suppose that he would run that hazard and the ruin of his country, rather than that a measure which he explicitly recom-

<sup>1</sup> Pickering MSS.

mended should be pronounced unwise. As the embargo, with all its mischievous improvements, is agreeable to Bonaparte; and as his outrageous captures and confiscations of American property have outraged even Armstrong, so that he has boldly recommended what would readily have occurred to an American ruler who possessed common sense and common honesty, and one grain of magnanimity; or, if not, who would readily adopt the measure recommended, — I am warranted in supposing that Armstrong is not privy to the whole of Mr. Jefferson's French negotiations. The President who could basely employ, as his confidential messenger, so execrable a villain and so devoted a partisan of France as Haley, must be bad enough; and, when we advert to the real character of Mr. Jefferson, there is no nefarious act of which we may not suppose him capable. *He would rather the United States should sink than change the present system of measures.* This is not opinion, but history. I repeat it confidentially to you, until I obtain permission to vouch it on evidence, which I trust I can obtain.

Yesterday, Mr. Giles's bill for enforcing the embargo was taken up in the Senate, and all the amendments made in the House concurred in. The President's approbation of his own measure need not be waited for. I recollect but one feature in the bill which is softened by these amendments. Gilman of N. H., and Reed of Maryland, joined us in voting against this final passage of the bill. Other Democratic members writhed under the dire necessity imposed on them by the force of party to vote for the bill. Henceforward I shall be disposed to consider Gilman and Reed to have quitted the President's ranks.

New England must be united in whatever great measure shall be adopted. During the approaching session of our legislature, there may be such farther advances in mischief as may distinctly point out the course proper to be adopted. A convention of delegates from those States, including Vermont, seems obviously proper and necessary. Massachusetts and Connecticut can appoint their delegates with regular authority. In the other States they might be appointed by county conventions. A strong and solemn address, stating as concisely as will consist with perspicuity the evil conduct of our administration as manifested in their measures, ought to be prepared to be laid before our legislature when they meet, to be sent forth by their authority to the people. But the fast, which I have repeatedly heard mentioned here, I hope will be postponed till the very crisis of our affairs, if such a crisis should be suffered to

arise : to proclaim a fast sooner would, I fear, have more the appearance of management than of religion.

I wish you to show this letter to Mr. Cabot, as I have not time to write to him. Pray look into the Constitution, and particularly to the 10th article of the amendments. How are the powers reserved to the States respectively, or to the people, to be maintained, *but by the respective States judging for themselves and putting their negative on the usurpations of the general government?*<sup>1</sup>

The unceasing cry of war among the President's pack is a gross artifice, so gross that I wonder men of understanding here are alarmed by it. Its sole object is to make them and the people at large acquiesce in the embargo; for the administration believe that the alternative of war is not terrible to mothers only, but to the men of the United States.

P. S. The President's men have moved for a May session. This is another trick to keep the people quiet till then. It proves, by the way, that instant war, though in their mouths, is not in their thoughts.

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SAMUEL BLANCHARD TO PICKERING.<sup>1</sup>

WENHAM, Jan. 16, 1800.

DEAR SIR, — I duly received your letter of the 28th ult., and should have answered it promptly, but had nothing to communicate worth your attention at a moment when your time is so precious employed in endeavoring to arrest the progress of iniquity at the seat of one of the worst administrations that ever disgraced any country pretending to be free. The doings of the present Congress need no comment. The worst is now before the public, and that public will duly appreciate its merits. Yes! the people have hitherto, and I presume will continue quiet *individually*, until after the meeting of the legislature; but that body — I mean the legislature of Massachusetts — must be alive indeed to the distresses of their constituents, and to the wrong-doings of the national legislature, to secure a peaceable deportment in the people, either individually or collectively, much longer. I wish you would state to me what will be the probable result of the meeting of the Connecticut legislature. I believe there can be but little doubt but that we shall do our duty when we meet on the 25th of the present

<sup>1</sup> These Italics, like all others in this volume, are in the original draft.

<sup>2</sup> Pickering MSS.

month; but it will be extremely desirable that there should be a coincidence of action in all the New England States. What says your friend Hillhouse on this subject? It is such kind of information, my dear sir, that at this moment I wish to hear detailed by you. You and your friends at Washington might give a very harmonious tone to our future proceedings. A few lines under cover to S. P. G. in Boston, where I shall be, will be very gratefully received, and prudent use made thereof. . . .

PICKERING TO S. P. GARDNER (P)<sup>1</sup>

[Fragment of a letter among S. P. Gardner's papers.]

. . . by the first of June, when Coles, his private secretary, who is destined for France, may return with Bonaparte's permission to repeal, as the least of two evils; the alternative being the total demolition of French influence in the United States. Should Mr. Jefferson previously consent to the repeal, Bonaparte may in a passion expose the fatal secret. Turreau is perfectly easy. He has said there will be no war between America and France, though he is quite willing to have the triangular war,—the U. S. against France and England at the same time; because, like the embargo, he sees, and doubtless has been told, that it would be a war against England only. After hearing for two months past, now and then, an explicit reproach of the French government as being as bad as that of Great Britain, I had concluded that this would be perfectly understood as necessary to keep up the popular delusion of a pretended impartiality by the U. S. towards the two belligerents: and lately an occurrence made this clear. Turreau said, "*You may say what you please, provided you do not act.*"

So pledged is Mr. Jefferson to his system that he said, the last summer, *that he would rather the United States should sink than have any alteration take place!* Such is my information from a man of reputation, in whose hearing the sentiment was uttered.

The advice given by Armstrong, in a confidential communication, of the course of conduct to be adopted by our government, was so perfectly correct, at the same time so adverse to French views, I am constrained to suppose that he is not privy to all the communications between Mr. Jefferson and the French government. It is probable that Turreau has been the confidential agent of both.

<sup>1</sup> Pickering MSS.

And in the present crisis one still more confidential is destined to go to France, — Mr. Coles, the President's private secretary, who has unquestionably imbibed all the love and all the hatred of the President.

Some *cautious* men here of the Federal party discovered an inclination to wait patiently, till the first of June, the promised repeal of the ex.bargo! God forbid that such timid counsels should reach the Massachusetts legislature, or a single member of it! A million of such men would not save the nation. Defeat the accursed measure now, and you not only restore commerce, agriculture, and all sorts of business to activity, but you save the country from a British war. The power of the present miserable rulers — I mean their power to do material mischief — will then be annihilated. It is only for Massachusetts and Connecticut, or even Massachusetts alone, to will the defeat of the embargo acts, and they become a dead letter. But if there be wavering and timidity, our worst enemies — the devoted adherents to France — will rise with renewed and increased force, and assuredly plunge the country into a war with Great Britain. Their hatred against that country is inextinguishable, and mounts up to violent rage. The ultimate success of Bonaparte in Spain, they are now waiting for. They triumph in the late defeats of the patriots, which are magnified by their wishes. They cannot conceal their joy. Let the die be cast in our own country by the decisive conduct of New England, before the success of the patriots be despaired of. I yet feel a confidence that the event will be propitious to them. The well-informed statesmen and generals who conduct their affairs knew the vast military power of Bonaparte, and could well calculate their own. They would not have embarked in a desperate war.

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RICHARD PETERS TO PICKERING.<sup>1</sup>

BELMONT, Feb. 3, 1809.

MY DEAR SIR, — . . . No part of your letter<sup>2</sup> gave me more satisfaction than that which assures me of the safety of our Union. I confess I have been apprehensive; yet, on the whole, my confidence in the good sense and patriotism of the Eastern people predominated over my fear. Many here were more alarmed on this

<sup>1</sup> Pickering MSS.

<sup>2</sup> No copy of this letter is found in the Pickering MSS.

score than I have been, conscious of the peculiar irritations and oppression produced on those of your section of the Union by the embargo and its attendant scourges. The conversation at tables and public places at Boston held by men not of the mob, and the unjustifiable acts of the latter, as well as of those who would not wish to be thus classified, are and have been very unpleasant to those who wish the Constitution preserved. Our whiskey and house-tax business warn us against similar evils, however different may be the causes. Every thing is conjured up to torment when the mind is disposed to be gloomy. The propositions for the prostration of the executive and senatorial branches of the government, made by one whose talents are eminent, and whose objects are such as are dictated by a mind well-turned and free from any vicious or impure intention, I confess made me very uneasy. I thought that others less considerate and less virtuous than he would be glad to follow such an example. I had rather bear the ills we have, and give time for exertion to cure them, than fly to others which we know not of. Dr. Dwight's century sermon, also, came up in judgment. He possibly only meant it in a religious view. "Come out therefore from among them, and be ye separate, saith the Lord, and touch not the unclean thing; and I will receive you, and be a Father to you: ye shall be my sons and daughters, saith the Almighty." There are some of his observations on this scriptural call which are not without ambiguity. One of the greatest curses attending the embargo is that of showing to the world our divisions, and driving to resistance and defiance of law the most correct and orderly people among us. We have proved, too, that the idea of our great importance to the European world was a vain and fanciful delusion. . . .

Your observation that our administration do not mean to add to the strength of the Northern and Eastern region of our country, is very striking. I cannot persuade myself they seriously intend war, or your people breach of our Union. But may not the first be produced by the measures they take to alarm England, and the latter by the means their opponents pursue to terrify them into an alteration of those measures, and this contrary to the real intentions of both sides of our political combatants. Such events happen where no design to produce them originally existed. In disturbed seas, currents and accidents drive the bark out of her course, and far beyond her reckoning. When she will no longer obey her helm, she is lost. . . .

A. C. HANSON TO PICKERING.<sup>1</sup>

BALTIMORE, Jan. 17, 1810.

DEAR SIR, — . . . I am rejoiced to see Quincy making such a noble stand in the House of Representatives. He ought to be supported, and no doubt will. I trust he will not be less intrepid when Eppes's bill, no doubt fresh from Monticello, is discussed. If such a bill passes without including France, under circumstances of extreme outrage and insult, — connected, too, with the operations in West Florida, and the creation of so many new States, — I shall become heartily sick of the Union. For my part, I say without reserve that *the Union was long ago dissolved*; and I never thought it criminal to compass a dismemberment of the States, although we have been educated with that belief. But I should prefer producing such an event by quiet means. I should like conventions to be called in the several States so disposed, and to proceed with calmness and dignified firmness. Sick as I am, and constitutionally weak-breasted, I expect to outlive the Union. The Democrats spare no pains to hasten the catastrophe. For my part, I think, if the question was barely *stirred* in New England, some States would drop off from the Union like fruit, *rotten ripe*. Nor do I think the general government would make an effort to recover and preserve them; which being perceived by other States, they would quickly follow the example which any State might have the courage, patriotism, and love of liberty, to hold out. Virginia, with the other Southern States, and all Louisiana, and the Floridas in her rear, would then be left to govern her black population as she lists.

I have written to you hastily, and with the freedom which springs from confidence and friendship.

F. J. JACKSON TO PICKERING.<sup>2</sup>

LONDON, April 24, 1811.

DEAR SIR, — I have not, since my return to England, lost sight of the promise which I made of writing to you. On the contrary, I have been waiting for the moment when I could give you, if not a

<sup>1</sup> Pickering MSS.<sup>2</sup> Pickering MSS. Jackson was the British Minister in the U. S., and had just been dismissed. See his letters in the "Bath Archives," more particularly vol. i. pp. 162-165.



satisfactory, yet a correct statement of the subject which I know to be very forward in your thought. The policy of your government, although constantly moving in the same channel of partiality towards France and French interests, was nevertheless varied by the currents or eddies which ruffled, though it seems they did not obstruct, its course.

The policy of our government has been so nearly in a state of stagnation that it was difficult to perceive whether it had any current at all. This is the character which it now essentially preserves; and, although there may be different opinions upon the efficiency of it, yet I find from various letters lately received from the United States that it is the course in which many sensible well-wishers to both countries desire that we should persevere.

The discussions that were last year resumed here between our two governments have been for the most part made public at Washington, and you will have seen that they turned upon two distinct topics:—

1. The appointment of a minister to the United States.
2. The revocation of our orders in council, in consequence of the pretended revocation of the French decrees.

Enough has of late been disclosed to show that this latter revocation has not taken place, even in the sense and to the extent contended for by Mr. Pinkney, who has accordingly been not a little dismayed by the appearance of Mr. Russell's correspondence, and taken great pains to prove that he was a dupe upon this occasion to his representation, as that gentleman himself appears to have been to those of the French government. Be that as it may, there is now no doubt that the French decrees are not repealed as Mr. Russell and Mr. Pinkney at one time professed to believe that they were.

We, on the other hand, as Englishmen, were bound to maintain that, if they even had been so repealed, such repeal did not satisfy our just expectations. To you it were needless to enter at large into the grounds of this assertion. They may all be essentially comprised in this brief statement, that a mere nominal repeal, with the substitution of the same injurious measures under another form, was not the condition on which we made our promise. We claim a substantial repeal, such as should place the trade of neutrals upon the footing on which it stood previous to the issuing of the French decrees. We claim a state of things such as would have existed, if those decrees had never been promulgated. The admis-

sion, as satisfaction, of any thing short of this would indeed have proved that we had all along been contending only for a point of honor, for a mere matter of form and etiquette. But Pinkney pretended to be so sure of the correctness of his information, and laid so great a stress as well thereupon as upon the pleas by which we were bound in good faith to do as the French had done, that it was determined to act upon that view of the subject, to fulfil the expectations thus announced, and to throw upon France the odium of a breach of faith, if, as we confidently believed, it should ultimately prove that she did not intend such a revocation of her decrees as we were in right and justice bound to require. In this way the orders in council would, for a time at least, have been removed.

What has prevented it? Nothing but the annexation to that demand of another quite inadmissible and not necessarily connected with it; viz., that our system of blockade, and especially the order of the 16th May, 1806, should be annulled. This alone, it was declared, would satisfy the just expectations of the President, and would enable him to continue a commercial intercourse with England as well as with France.

There is probably no state of things in which we should consent to such a proposal; and I know of no set of men who would advise that we should. It so happens that the blockade of the 16th May was the act of Mr. Fox. If there could otherwise have been any difference of opinion on the subject, that circumstance alone would have identified the system with his surviving friends. But the President has in fact alienated the most powerful of that number, by pushing his pretensions so much farther than any of them think he has a right to do. His only advocate is to be found in the house of Baring. Accordingly, every man of every party unites in saying that, whatever may be the merits of the orders in council, our maritime system must be maintained. Probably this is the precise state of things that was foreseen at Washington, and therefore the demand was made: but, as this cannot be avowed, you will be at no loss to understand why Mr. Pinkney's whole correspondence was not laid before Congress; though there is, in the tone as well as substance of the suppressed part of it, wherewithal to gratify Joel Barlow himself.

The first point of discussion above alluded to, viz., the appointment of a minister to the United States, has afforded some matter of merriment to our wits, who think it quite comical that

our Republican friends should quarrel with us for not sending them as minister a man of hereditary rank; and this is the only ground upon which that part of the dispute now stands. Of the intention to appoint a minister, Mr. Pinkney was apprised long before he received his instructions in the shape of an ultimatum on that subject. He himself says he was told of it as early as January and February, 1810. He certainly received repeated assurances to the same effect previous to and about the time of my return, which was that of the beginning of the king's illness; and the only hesitation was as to the selection to be made. Several persons, and amongst them, I believe, a nobleman, were put in nomination; but they refused the appointment: and, in consequence of the transactions of the winter of 1809-10, this has become a matter of more difficulty than can easily be conceived in your country, where diplomatic offices are so eagerly sought after. Foster, being young both in years and in the career, could feel little hesitation to accept. It is a great object to him to get such a step; and the opportunity was not to be neglected. He goes, therefore, as well to satisfy the claim of the United States to a minister of the same rank as their own as to act as a sort of political conductor to attract the lightning that may issue from the clouds round the Capitol and the White House at Washington. I hope that he will convey the flashes harmless into the Potomac, or, if not, into one of the powder magazines that abound in that neighborhood. It has occasioned much surprise here that, exactly at the moment of Pinkney's demand being complied with, he should nevertheless take what he calls an inamicable leave; placing the questions in dispute, as I before said, upon the non-appointment of a nobleman to the American mission. Whatever of anger or asperity has appeared in his correspondence is attributed to the necessity of Pinkney's assuring himself a good reception with the party amongst you who last year found fault with him for using too much civility towards this country. This error he has since corrected, and due allowance would have been made for his motives; but it was not expected that he would so far depart from his usual urbanity as to decline the invitation that was sent him, in common with the rest of the foreign ministers, to attend the regent's levee. It was not probable after this that the audience of leave which he claimed should answer his expectation. It was very short. Mr. P. was told that the regent was desirous of cultivating a good understanding with the U. S.; that he had given a proof of it in the appointment of a minister as

soon as his acceptance of the regency enabled him to appoint one; that the orders in council would have been repealed; but that his Royal Highness never could or would surrender the maritime rights of his country. Mr. P. then made some profession of his personal sentiments; to which he was answered, "Sir, I cannot look into men's minds: I can only judge of men's motives by their conduct." And then the audience ended.

The result of all this seems to be that, adopting in opposition to the clearest evidence the interpretation put by France upon her acts, the United States have adopted also her system of commercial hostility towards England. This would no doubt authorize corresponding measures on the part of the latter; but as she really has neither wish nor interest to quarrel with the United States, and as she thinks that they are already sufficiently punished by the deprivation which they bring upon themselves, she leaves the remedy of an otherwise incurable evil to the returning sense of good policy which it is supposed will ere long necessitate in America a change, and possibly an improvement of public measures. These are, whether right or wrong, the principles upon which we are acting. If any amelioration of them can be devised that will sooner promote the return of that harmony and of that commerce without restriction which those most desire who are most interested in the subject, you will freely suggest it, and I shall as gladly turn your suggestion to good account.

This leads me to say, that I shall soon be looking for the report which you had it in contemplation to make to your constituents at the expiration of your period of service. We have no accounts of you later than the 10th March. I would fain hope, but dare not, that the elections of this spring would lead to the renewal of your senatorial career.

You will at all events enlighten, if you cannot correct, the public mind. I trust that I shall receive from yourself whatever of your sentiments you may think proper to lay before the public, and as much more of them as you will intrust to one very sincerely devoted to your public and private principles. You cannot doubt of the deep interest I shall take in the perusal of them; and I hope my friends at Boston will do me the justice to believe that I retain a proper sense of the civilities that I received from, as well as a very pleasurable recollection of the identity of our political sentiments. Have the goodness, when occasion offers, to say as much for me to Messrs. Gore, Otis, Cabot, and Perkins. I have just been

perusing the "Impartial Enquirer" with great satisfaction. I had previously heard of it from Mr. Higginson, who is now at Bath, but whom I had lately the pleasure of seeing here in good health.

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PICKERING TO G. H. ROSE.<sup>1</sup>

WENHAM, NEAR SALEM, MASSACHUSETTS, April 7, 1812

DEAR SIR, — The pleasure I enjoyed in your acquaintance during the short time you were in America is not unfrequently recollected. The relations between our two countries were then bad enough; but now much worse, by the continued operation of the same nefarious causes on the part of the United States government. Its glaring partiality to France is so manifest, and its contrary declarations so obviously unfounded and false, I am astonished to find that it has a single advocate or apologist in the British Parliament. That member who in his place could express his wish to God that Bonaparte had ships, colonies, and commerce, I can conceive capable of any sort of opposition to the men in power, even to the sacrificing the honor and the clearest interests of his country. His call for peace indeed, if sincere, with the ruler of France in the actual state of his power, indicates Mr. Whitbred's want of judgment. You can have no peace with the tyrant until you become his slaves.

That subject of dispute which you were so anxious to adjust, having served the purposes of our government in a four years' excitement of popular resentment against Great Britain, has been settled; not for the sake of restoring harmony between us, but because the subject had grown stale, and because there were other topics enough to maintain the irritation. They are now framing an embargo, in the expectation of distressing you at home and starving your armies in the Peninsula, by which the subjugation of Spain and Portugal by Bonaparte may be facilitated; and will, if they can, provoke you to make war. Their being unprepared is of little moment in their estimation. If you capture all our vessels, the majority who rule will not directly feel it; and the sufferings of the people will for a time be stifled in their increased resentments against you. Would to God that in the end those sufferings might serve to open their eyes!

I commit this to the care of my son Henry Pickering, who, if he has the opportunity, will do himself the honor to present it to you . . .

<sup>1</sup> Pickering MSS.

PICKERING TO EDWARD PENNINGTON.<sup>1</sup>

WENHAM, NEAR SALEM, July 12, 1812.

DEAR SIR, — Your letter of the 6th, lamenting the war declared by our government against Great Britain, has just been brought to me from Salem. You ascribe the war to the arts of Napoleon; but all his arts would have failed, were not our own rulers corrupt. It is rarely that bribery can be detected and exposed upon evidence. I cannot therefore undertake to affirm that French money has been liberally distributed on this occasion, although I entertain no doubt of it. Adet bribed members of Congress in Washington's day, when the French government was embarrassed to raise money for its *lawful* uses in the United States. Of this I have satisfactory evidence, — the voluntary evidence of the French Consul-General Létomb to an intelligent and worthy friend of mine. But Napoleon has ample funds. The millions he has plundered from our own merchants are sufficient to engage the support and votes of a competent number of many sets of such rulers as for ten or twelve years past have been the curse of our country.

Your mind is much depressed by the declaration of war: I am sorry for it. This last act of baseness, corruption, treachery, and malignity was necessary to unveil to the people at large the real character of our rulers. To compare a small matter with this great one, it was the outrageous violation of the Constitution of Massachusetts, and their violent and palpably unjust proceedings by Governor Gerry and our legislature of last year, which opened the eyes of the people, and produced a strong majority of Federalists in our House of Representatives. The corruption of that legislature was so ingeniously exercised as to secure the election of 29 out of 40 Senators, devoted to that system, when there was a decided majority of Federal electors in the State in the original senatorial districts! Hence the obstruction and defeat of the reformation, which would otherwise have been completed. But these senatorial usurpers will be ousted next year; by extraordinary measures, if milder prove ineffectual. In our State executive, we have nothing to wish. Governor Strong is able, prudent, and at the same time firm as a rock.

Unexampled violence having produced these changes in Massachusetts, so the excesses of Congress, perfected by the last outrage

<sup>1</sup> Pickering MSS.

in declaring war against Great Britain, though deeply to be deplored in all other respects, has seemed to me necessary to convince the people that their rulers must be changed; that justice, peace, and prosperity can return only by such a change. I am confident of this effect in all New England, including Vermont; nor can I doubt of it in New York. The construction of the Senate there, it is true, has at this time secured a Democratic majority in that body; but all or nearly all concurred in nominating De Witt Clinton for President instead of Madison.

I am far enough from desiring Clinton for President of the United States. I would infinitely prefer another Virginian,—if Judge Marshall could be the man. But I would vote for any man in preference to Madison. I am disposed to believe that neither Jefferson nor Madison have dared resist the will of Napoleon; because I presume they stand committed to him, and dread an exposure. Both also, with their adherents, hate England,—the country of our forefathers, and the country to which we are indebted for all the institutions dear to freemen.

I would preserve the Union of the States, if possible. I thought the evils of the protracted Revolutionary War of eight years would be compensated for by their necessary intercourse and the intimate knowledge and connections and mutual confidence it would produce in these States, and so secure our future harmony and union. Such were my contemplations at the time. But I would not be deluded by a word. To my ears there is no magic in the sound of Union. If the great objects of union are utterly abandoned,—much more, if they are wantonly, corruptly, and treacherously sacrificed by the Southern and Western States,—let the Union be severed. Such a severance presents no terrors to me. But the Southern States will tremble, when the idea shall be seriously presented to them. And they will gladly return, and be more firmly than ever united with the Northern States; for these will be their shield against internal and external enemies. The only permanent severance will be of the Western from the Atlantic States. Yet when the North and the South shall be more closely linked, the Western States will long pause before they break off; and, united or disunited, they will be cautious how they offend. New Orleans is their only emporium, and the Mississippi their only road to market, for their vast and increasing productions. Now a single frigate, or a few smaller armed vessels, would effectually block up this great highway. At any rate, the Western Union can never become a

naval power, and for all foreign commerce must lie at the mercy of the Atlantic States.

I am for bold and decided measures, but measures perfectly compatible with the Constitution and Union of the States; for all temporizing will encourage to persevere the unprincipled men who have betrayed us. And peace with Britain we must have and will have. We cannot exist, but in poverty and contempt, without foreign commerce. And by a war of any continuance with Great Britain, that commerce will be annihilated.

Having for years contemplated what are the important interests of Great Britain in relation to the United States, I am without fear of any invasion or of any destruction of our seaports. Instead of sickening at our commercial prosperity, as was said by a frothy declaimer from Kentucky, Great Britain would not willingly see it diminish. With immense regions yet to be peopled and cultivated, she sees an immense demand for ages for her manufactures and colonial productions. And, the more we prosper, the more we shall want and be able to purchase. She cannot without gross blindness destroy our seaports, where are collected the agents and the means of commercial transactions. If indeed the war should be prosecuted on the part of the United States with bitterness, malignity, and outrage, and these so long continued as to forbid all hope of reconciliation, Great Britain may give up the rein to her vengeance which she has the power to render terrible, not for conquest but destruction. But all this I hold to be normally impossible. I repeat, we will have peace and commerce.

I am deeply engaged in my farming affairs at this most busy season; the more busy because of interruptions by long-continued rain. I have therefore instantly taken up my pen to answer your letter, not knowing when, after this day, I shall find a leisure moment. I pray you, as I would beseech all my friends, to rouse from despondency. The men who have brought so many calamities on our country are as destitute of wisdom as of integrity; and the monstrous excesses of this war-session will prove their overthrow.



PICKERING TO GEORGE LOGAN.<sup>1</sup>

JULY 4, 1812.

. . . If the Southern States should ever open their eyes to see that their real interest is closely connected with that of the other Atlantic States, and, by a union with them in apportioning the public burdens, lay an equitable share of them on the Western States, that moment the latter will declare off, take to themselves the Western lands, and leave the enormous war debt they have occasioned on the shoulders of the Atlantic States, in addition to the remainder of the debt of the Revolution. You are younger than I, and may live to see it; and, if I should reach fourscore years, I may survive the present Union. Entertaining this opinion, I cannot think, of course, that a separation at this time would be an evil. On the contrary, I believe an immediate separation would be a real blessing to the "good old thirteen States," as John Randolph once called them. I throw out this idea for the consideration of yourself and our judicious friend Myers Fisher, to whom I request you to mention it.

PICKERING TO SAMUEL PUTNAM.<sup>2</sup>

CITY OF WASHINGTON, Feb. 4, 1814.

DEAR SIR, — The real friends of liberty and our country have long turned their eyes towards Massachusetts, to give the tone in those measures by which the United States shall be rescued from that thralldom in which a pack of petty tyrants, under the auspices of their execrable leader of Monticello, have involved them. The supporters of the administration, partly unprincipled and partly ignorant, now think, and some of them say, that Massachusetts has blustered too long to excite any alarm in the government: we have nothing to fear from her. It is, indeed, time for Massachusetts to rouse from her slumbers. Her grievances ought no longer to be submissively endured. Had the long catalogue of wanton and cruel oppressions of the last six years been presented at once in their collective force at the time when Jefferson recommended to Congress the adoption of Bonaparte's Continental system, under

<sup>1</sup> Pickering MSS.<sup>2</sup> Pickering MSS. See Lodge's "Cabot," p. 530.

the deceitful name of embargo, all America would have resisted. But, cheated on flimsy pretences into that single measure, while the flimsy documents offered as its basis were carefully concealed from the public eye, Congress from its blind confidence concurring in the concealment, and the other evils having been gradually introduced, the people have learned tamely to bear them all, the majority almost without a murmur. Time once was when the people thought and acted otherwise: then *obsta principiis* was the principle and rule of action. The non-intercourse was an abominable measure; but, being an immense relief from the consummate evil of the Continental system of embargo, the people rejoiced at its promulgation as if they had received a mighty boon.

I have heard of the spirited proposition of Mr. Fessenden, and that it was received with acclamation by the people, while the cautious counsel [of Mr. Otis]<sup>1</sup> which followed, produced, if not murmurs, certainly no sign of approbation. The time is arrived when *ordinary opposition* will prove futile. God forbid there should be any more *supplications* or *simple remonstrances*. These produce here only petulant reproaches from characters as contemptible as you could find by searching in the most obscure corners of New England Democracy, with impotent defiance and threats from others.

On the spot, you can best judge for what the people are ripe and what they will support. But I should suppose you might state in strong language the numerous violations of the Constitution, and various acts of national oppression which crush you to the earth; that as a member, and a large one, of the Union, for whose benefit, not for whose destruction, the Constitution was framed and by you adopted, you might state the articles in which a change of measures is essential to your well-being, and as such that you DEMAND immediate relief.

If a step of this kind should be adopted, one more should be taken: send forth a solemn and earnest address to your constituents, in plain but forcible language, which all can understand and feel, stating concisely all the great evils wantonly brought on them by the acts of the national government, and for no possible cause but to co-operate with Europe's execrable tyrant, the ruler of France. Recite your demands on Congress for relief; but tell the people that while, with a sincere and strong desire to maintain the Union

<sup>1</sup> Erased in draft.

of the States, you have made one more application to that be for a redress of grievances, past experience too lamentably shew how small is the hope of relief; that therefore they must prepare their minds and hold themselves in readiness to "right themselves and remove from them that accumulated load of oppression which is no longer to be endured.

Declarations of this sort by Massachusetts, especially if acceded in by the other New England States, would settle the business at once. But, though made *now* by Massachusetts alone, you surely may rely on the co-operation of New Hampshire, Rhode Island, and Connecticut, and, I doubt not, of Vermont and New York. With the executives and legislatures of most and the Representatives of all of them, you can freely communicate.

Ought there not to be a proposal of a convention of delegates from those six States? Recollect the times that are past, when circular letters were first sent from the House of Representatives of Massachusetts, the cradle of American liberty, — whence ensued our organized opposition to meditated oppression, the *harbinger* tyranny, but which, as compared with the *actual* oppression a tyranny of our own government, would now appear insignificant.

In describing in your address to the people (for I presume you will not rise without one) the oppressions above referred to, and especially the calamities of this profligate war, will there be any impropriety — nay, does not the actual state of things loudly call for it? — after showing concisely how the war is unnecessary and unjust, and how impossible by its continuance for any length of time whatever to obtain a relinquishment on the part of Great Britain of the right of impressing her own seamen from neutral merchant ships, for which absolutely hopeless object alone the war is yet maintained, — after concisely showing all this, ought you not to caution all the citizens of Massachusetts not to yield by personal services or by money any voluntary aid in carrying on the war, which being criminal in its origin and continuance and ruinous in its consequences, all those who voluntarily contribute to support will be involved in its guilt; and then solemnly denounce all who shall render such voluntary assistance, as enemies of the country? I have more to say, but must do it in another letter.

PICKERING TO CALKB STRONG.<sup>1</sup>

CITY OF WASHINGTON, Oct. 12, 1814.

DEAR SIR, — Yesterday I enclosed to you copies of the letters and papers from our Commissioners at Ghent, stating their communications with the British Commissioners on the subject of peace, and intimated my intention to follow them with some remarks.

When read in the House (and they were read but once), considerable excitement was produced among some on the right as well as on the wrong side of that body. I thought the few observations then made premature; and that it had been better to wait until we could deliberately read the documents ourselves. I confess, at the same time, that the demands of the British did not surprise me or rouse any resentment; for they seemed to be the natural result of the war, waged as it was on such insufficient grounds (if the ostensible had been, what they were not, the real excuses of the war), and under such peculiar circumstances, when not the fate of Britain only, but of the whole civilized world, was at stake. I have uniformly thought that Great Britain might justly demand some indemnity for the injuries actually done her, and the fatal mischief manifestly intended against her, by this base, unjust, and unnatural war. But yet she asks not any indemnity: security will satisfy her, and to that she is entitled.

1. I presume no Federalist has doubted that Great Britain could insist, as she does, on the right to take by force her natural-born subjects from our merchant vessels on the high seas. I also presume that now the President has yielded that point; although the maintaining of it, when no other pretence for continuing the war existed, has cost many millions of money, and the sacrifice of many thousand lives.

2. To comprehend the Indians, her allies, in the pacification was the indispensable duty of Great Britain; and to secure for them a permanent boundary was in itself an act of benevolence, though doubtless an interested policy strongly influenced the demand. And how will the United States be affected, should the demand be admitted? Had the just and humane system towards the Indians, formed under the administration of Washington, but which, you will recollect, was vehemently oppugned by the then

<sup>1</sup> Pickering MSS.

opposition, been pursued subsequently to the year 1800, we should have had no Indian war; but since that time the North-western Indians have been pressed and constrained to relinquish vast tracts of their hunting-grounds, which are as necessary to them as farms to their white neighbors, by treaty upon treaty, — many of them, I have no doubt, unfairly conducted, — until their resentments were roused, and, by Governor Harrison's incursion and attack at Tippecanoe, a war enkindled.

Now, to secure peace and their property to those Indians, and fix their attachment to their powerful ally, Great Britain demands for them a permanent boundary line, over which neither nation shall pass to purchase the Indian lands. These, no doubt, are the lands which fall within the limits of the United States by the treaty of peace of 1783. In effect, then, the demand of Great Britain amounts to this, and to no more: That, as the United States have now the right of pre-emption (and that is all they have) in respect to those lands, they should relinquish it to the Indians, who are the right owners and possessors of the soil; and the two powers are to guarantee the same to the Indians, and to stipulate that neither shall purchase any of them. In conversation, the British Commissioners said the Indians might sell to a third person or power; but this is omitted in their written note, and ought not to be admitted on our part in a treaty. Let those lands remain (according to the idea suggested by the British Commissioners) a wilderness, and so a perpetual barrier in that quarter between the British territories and ours. And as this proposition, particularly as to boundary, was to be subject to modifications, unquestionably such parts of the Indian territories as had been already purchased and settled would have been excepted and reserved without that boundary. Should any unseated tracts be then comprehended, they must have been the subjects of speculation, and not improbably the very objects of those irritating treaties and the real causes of the Indian war. To such tracts, no exception need be made. Should the United States have sold and received the consideration for them, the money may be refunded.

In a political point of view, this relinquishment of our pre-emption right to the Indians might be really desirable. It is this wild spirit which has scattered our citizens in the wilderness, and exposed them to destruction; because, so dispersed, they are unequal to their own protection, and by their collisions with the Indians are always endangering our peace. From all that I have heard (and I have

sought for information), I entertain no doubt that the Indian war on the Ohio frontiers was produced by the injustice of our own people towards the Indians.

You know that the Western lands were early pledged for the redemption of the sacred debt of the Revolution. They have yielded about eight millions of dollars; while the expenditures in that region in the two years of this war have, I doubt not, risen to double that sum, — probably to much more. That pledge, then, to the public creditors is gone. It would have been good economy in the United States if they had given away all those lands to the settlers, solely on condition that they should defend themselves.

That it was not necessary to coerce (I do not mean by military force, but by the irresistible influence of superior power impending, and seen to be always ready to fall upon them and crush them), — that it was not necessary to coerce the Indians to sell their lands in that region to make room for settlers, is perfectly evident from this single fact, that, in the direct tax imposed in 1813, a greater sum was assessed on non-residents' lands in the State of Ohio than on the lands of all the inhabitants of that State, although they send six members to Congress! In like manner, a large portion (I do not remember how much) of the direct tax in Kentucky was imposed on the lands of non-residents.

As Indian lands were not wanted to make room for settlers, why have they been so eagerly grasped? For two reasons: to give opportunity for the speculations of men in office and their friends; and to furnish occasion to erect more territorial governments, with a train of officers and dependants, to extend executive patronage and gain partisans to the cause of the dominant party.

3. The proposition that the United States should have no naval force on the Lakes, nor fortresses on their borders, I was prepared for, and on the very ground taken by the British Commissioners. It is, I believe, more than a year since, in conversation with some of my friends, I remarked that it would be happy for both countries if they could agree never to have either armed vessels or military posts on their whole interior frontiers washed by the Great Lakes and their connecting waters. But I added (having contemplated the subject), Great Britain cannot agree to this; for her Canadian Provinces are weak from their small population, and the United States are strong, which in case of future hostilities would enable them to overrun the Canadas before they could prepare for their defence. And can we think it unreasonable in Great Britain

to ask for this security? Should not we do it, were our relative situation like hers?

It is to be noted, however, that this proposition is not a *sine qua non*; it is a fair subject of negotiation, and doubtless may be modified in a manner mutually satisfactory. For instance, it may be agreed that neither shall have any armed vessels on the Lakes, while each may maintain its fortresses on the land. If there were to be no stipulation of the kind demanded, it would be good policy on the part of the United States to haul up their armed vessels, and never to repair them; such only of the smaller ones being excepted as, being for ever dismantled of arms, should be useful as trading vessels on those waters. Peace once restored, such a period would probably elapse before another war would arise that three or four or half a dozen sets of armed vessels might be built and rot before they would be wanted for defence or offence. And surely we shall have need enough of economy to save so great an expense as even that of the annual repairs of the vessels now in existence.

4. The only remaining proposition respects the fisheries and the cession of land in the north-east corner of Maine, to enable Great Britain to open a road of its own by which to communicate between Halifax and New Brunswick and Quebec.

The declaration relative to the fisheries was precisely what was expected by myself and my intelligent friends with whom I conversed on the subject before I left home. We did not believe that Great Britain would attempt to deprive us of the Bank fisheries in the open sea; while we supposed she would deny us the fisheries in the bays and coasts of her own dominions, of which she would conceive herself the sovereign. But the latter she is ready to yield for an equivalent. Now, Great Britain well knows that Massachusetts is almost exclusively interested in the cod-fisheries; and it is through her territories that she wants a road between Quebec and New Brunswick and Nova Scotia,—not a right of passage merely, but the land itself, to have the road in the fullest property. And this, I imagine, is the equivalent she contemplates for yielding a right to the fisheries in question.

Not knowing the quality of the lands in Maine of which Great Britain wants a cession, and the proposition being too indefinite to enable me to judge how far down the line between Maine and New Brunswick it may be needful for the road to cross, I should be happy to receive information on the subject. A road from Halifax round the head of the Bay of Fundy, and thence directly to Que-

bec, would appear to take off but a small portion of Maine; and if the road for New Brunswick were to run northerly until it fell in with the Halifax road, before it crossed the line of Maine, it would seem that the contemplated cession would not cover a very large tract of land.

These papers having been committed to the Committee for Foreign Affairs, and there being in one portion of that committee at least as much of zeal as of prudence and knowledge, I look for an inflammatory report. Perhaps this may not be acted upon before I receive your sentiments upon the subject; and I hope your public duties may not be such as to deny you time to favor me with an answer.

For several years past, I have heard the expression from sound and discreet Federalists of the Middle and Southern States, "We look to New England for salvation." I pray God that New England may not now be wanting to herself and to her brethren, the most valuable members of our great political society. The dominant party have brought the United States to the brink of ruin, and treated us, not as equals, but as their field-laborers, bound to toil for, as if to compensate them for the trouble of ruling over us with rods of iron. I am weary and indignant at this servitude, and unwilling longer to submit to it. Yet without some extraordinary effort, some act becoming the high spirit of freemen, such as our predecessors would have approved, I see not but our chains are to be riveted for ever; as, abandoned by the general government, except for taxing us, we must defend ourselves, so we ought to secure and hold fast the revenues indispensable to maintain the force necessary for our protection against the foreign enemy, and the still greater evil in prospect, — domestic tyranny.

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CALEB STRONG TO PICKERING.<sup>1</sup>

Boston, Oct. 17, 1814.

MY DEAR SIR, — I received your note this morning, enclosed with the President's message, for which I thank you. A considerable sensation has been excited here by a report that, on hearing the message and document read, Mr. Hanson pledged himself and his party for a vigorous and determined prosecution of the war. I can hardly believe this report; for I am unable to discover any thing

<sup>1</sup> Pickering MSS.




in the claims of the British Commissioners that could occasion such a pledge.

You observe in your note that you had not anticipated the proposal in regard to the Indians. I confess that I have often, since the commencement of the war, expressed a wish that, in a treaty with Great Britain, effectual measures might be taken to protect the Indians in the possession of their lands; and that I thought G. B. would be bound in honor to effect this object, if possible. Our conduct towards the Indians appeared to me, when I was at Congress, to be extremely unjustifiable and inhuman; and, if the same conduct is pursued a few years, the whole race will be extirpated. I can see no other way to prevent this but for both nations to guarantee their possessions, to the exclusion of each other. This may hurt the pride of some of our people. But, if justice require it, there is not ground for resenting a demand of this kind, nor will there be any disgrace in complying with it.

The proposal to exclude our naval force from the Lakes evidently proceeds from a sense of their inferiority in that neighborhood. We may at any time of peace, if we have a superior force on the Lakes, renew the attempt made by General Hull, when the Canadians are wholly ignorant of any hostile views on our part; and may overrun the country before any aid can be received from England. But there is no danger that Canada will be able to make any serious impression, even on the State of New York.

The proposal of a new line between us and New Brunswick may undoubtedly be modified so as to cause no material injury to the State or the Union; and the same, I suppose, is the case with the fisheries. As to Eastport, I believe it is generally acknowledged by well-informed people that we have no just claim to it under the treaty of peace, although we might have had it by a treaty made by Mr. King which was rejected by President Jefferson.

If Great Britain had discovered a haughty and grasping temper, it might naturally have excited irritation; but I am persuaded that, in the present case, there is not a member of Congress who, if he was a member of Parliament, would have thought that more moderate terms ought in the first instance to have been offered; but how they will view this subject now, I can't pretend to say. The pride you mention is an enemy as well to peace as justice. It has been very operative in producing the war, and I am apprehensive will be so in preventing peace. If Mr. King and Mr. Gore had been our negotiators, I think the terms proposed by the British Commis-



sioners might have been so modified as to produce a just and equitable accommodation ; but whether it would have been acceptable to our government is perhaps questionable.

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JOHN LOWELL TO PICKERING.<sup>1</sup>

ROXBURY, Oct. 19, 1814.

DEAR SIR, — I thank you for your letter and the expression of your opinions. What mine were you will see, before this reaches you, in the "Daily Advertiser." It gives me great pleasure to find my opinions so fully accord with yours. Be pleased to say as much to my much-respected friend, Mr. Ward, who was so kind as to write me on this subject, and to whom I should have written, but that I am wholly occupied with discussing the question, as well as addressing the Norfolk people on the election.

This must be my excuse. I probably go farther than either of you. I think the terms liberal, considering what Great Britain had then a right to expect from her armies here ; and I think them not dishonorable to us, but really such as we ought to desire. It looks like a wish for a durable peace. We ought to meet these offers. A lasting peace can never take place, but on such terms. We shall reject them, because the purposes of the Almighty for our humiliation and punishment are not fulfilled.

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PICKERING TO GOUVERNEUR MORRIS.<sup>2</sup>

CITY OF WASHINGTON, Oct. 21, 1814.

DEAR SIR, — To-day I had the pleasure of receiving your letter of the 17th. I was gratified to find my own sentiments corresponding with yours. "Union" is the talisman of the dominant party ; and many Federalists, enchanted by the magic sound, are alarmed at every appearance of opposition to the measures of the *faction*, lest it should endanger the "Union." I have never entertained such fears. On the contrary, in adverting to the ruinous system of our government for many years past, I have said, "Let the ship run aground. The shock will throw the present pilots over-

<sup>1</sup> Pickering MSS.

<sup>2</sup> Pickering MSS. Printed in Lodge's "Cabot," p. 535.

board, and then competent navigators will get her once more afloat, and conduct her safely into port." I have even gone so far as to say that a separation of the Northern section of States would be ultimately advantageous, because it would be temporary, and because in the interval the just rights of the States would be recovered and secured; that the Southern States would earnestly seek a reunion, when the rights of both would be defined and established on a more equal and therefore more durable basis.

At a late consultation among Federalists, the great question was agitated, "What part shall we take when the system of taxation shall be brought before us?" In general (I do not know but universally, as to those who *spoke*), it seemed to be concluded that, as the nature of the war was now changed from offensive to defensive, we could not withhold our assent. At the same time, it was admitted that the present rulers were incompetent to carry on the war, and that the money raised by means of a system of heavy taxation would, like the millions already obtained, be profusely wasted. But, in assenting to the taxes, all agreed that it would be proper to protest against the administration, and declare it incompetent to maintain the war or to make peace! I dissented from this doctrine, and avowed my opinion that our assent to the system of taxation should be given only on the condition that the administration should be changed, so that Federalists should control the public measures and apply the public funds to support them. I presume I shall not be left alone. I trust a number of Eastern members, at least of my colleagues, will agree with me, unless on better advice we should think it expedient to adopt the plan of our other Federal brethren. This day Eppes called up the resolutions of the Committee of Ways and Means; and Mr. Oakley (who is a man of talents) took the ground, above mentioned, of advocating the system of severe taxation, and protesting against the competency of the men into whose hands the public revenues would be thrown. The reproaches which on this plan are necessarily cast on the administration and its abettors in the two Houses will render these more bitter, and urge them, from pride and resentment, to pursue their course with increased obstinacy.

As you suppose, some men "are on stilts as to British arrogance and audacity, in proposing terms of peace to which we cannot listen without disgrace." I confess they did not disturb me. For some of them (on which our Commissioners had no instructions) I was in a degree prepared. In conversation with my friends at home, we

had concluded that Great Britain would exclude us from those very fisheries which she now says she will not again yield to us *without an equivalent*, but not attempt to deny us the cod-fisheries in the open sea, — that is, on the Banks of Newfoundland. What equivalent was contemplated by the British government seemed to me very obvious. They want a direct road from Halifax to Quebec. This will cross the province of Maine belonging to Massachusetts, to which State those fisheries are almost exclusively interesting. Massachusetts may exchange the north-east corner of Maine for the privilege of participating in the *British* fisheries.

As to the lakes, I said more than a year ago that it would be a most desirable thing if Great Britain and the United States could agree to have neither armed vessels on the lakes, nor any fortifications on their borders; but that Great Britain could not so agree, because in Canada she was weak, and we were strong and daily increasing in strength, which would enable us to invade and overrun her dominions there before she could prepare to defend them. But this proposition of hers is not a *sine qua non*. In its present form, I have an entire repugnance to it. She would doubtless agree either to stipulate that neither power should keep any naval force on the lakes, each fortifying on the land as it pleased, or to say nothing about it, when both would be in the situation existing prior to the war.

As to the Indian boundary, I soothed some of my friends by asking them what Great Britain demanded, answering that she required no cession of territory to herself (in this proposition), nor to the Indians; for the latter, being proprietors of the soil, Great Britain demanded in their behalf that we should relinquish our *right of pre-emption*, which was really all the right we could set up. I added that, the British demand out of the question, *good policy* should dictate to us the same measure, — to prevent further encroachments on the Indians (and consequently a renewal of hostilities), the dispersion of our citizens over vast and indefensible regions, when we had yet so many millions of acres of good lands without inhabitants.

To effect a peace, our rulers must be changed, and men less proud and less haters of Great Britain be employed as negotiators.

GOUVERNEUR MORRIS TO PICKERING.<sup>1</sup>

MORRISANIA, Nov. 1, 1814.

DEAR SIR, — I have received yours of the 21st of October, and now see that we are to be taxed beyond our means, and subjected to military conscription. These measures are devised and pursued by the gentle spirits who for more than twenty years have lavished on Britain the bitterest vulgarity of Billingsgate, because she impressed her seamen for self-defence, and have shed a torrent of crocodile tears over the poor of that country, crushed, as they pretend, by oppressive taxes to gratify royal ambition. Nevertheless, this waste of men and money, neither of which can be squeezed out of our extenuated States, is proposed for the conquest of Canada. And thus, after swearing and forswearing backward and forward till their fondest adherents were grown giddy, and after publishing their willingness to abandon every former pretext, the administration boldly avow that, although we are so simple as to call this a war of defence, it is still on their part a war of conquest.

What will the Federal gentlemen now say, who, to excuse their support of this administration, announced that their unprovoked, unwise, unjust war of aggression had, all at once, become defensive. I admire and applaud the proud consistency of our adversaries, who say to these our quondam friends: "We disclaim your proffered support. You shall not participate in power, neither shall your quibble serve your turn. We wage no defensive war, but mean to conquer Canada. Vote for that, or vote against us, we care not which."

And now, my good friend, be, I pray you, so kind as to tell the pliant patriots who become converts to Mr. Monroe's scheme, frankly communicated to enemies as to friends, of marching into Canada, by way of inducing the British forces on our coast to meet us there, that, the St. Lawrence being no longer navigable, this sublime diversion cannot take effect before the month of May. But perhaps the Secretary, as facetious as he is sagacious, meant this diversion merely as a pleasantry to divert himself and his colleagues at the eagerness with which Federal gudgeons will, in the lack of bait, swallow a bare hook.

Doubts are, I find, entertained whether Massachusetts is in ear-

<sup>1</sup> Pickering MSS. Printed in Lodge's "Cabot," p. 537. See Sparks's "Life of Gouverneur Morris" for other letters in a similar sense; especially, vol. iii. pp. 814, 815, 817, 819, 820, 821.

nest, and whether she will be supported by the New England family. But surely these outrageous measures must rouse their patriot sentiment to cast off the load of oppression.

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PICKERING TO JOHN LOWELL.<sup>1</sup>

CITY OF WASHINGTON, NOV. 7, 1814.

DEAR SIR, — You may recollect that, in my letter to Governor Sullivan (April 16, 1808), I said with earnestness "that it was essential to the public safety that the blind confidence in our rulers should cease, that the *State legislatures* should know the facts and reasons on which important general laws were founded, and especially that those States whose farms were on the ocean, and whose harvests were gathered in every sea, should immediately and seriously consider how to preserve them;" adding that "nothing but the sense of the commercial States, clearly and practically expressed, would save them from ruin." The House of Representatives of Massachusetts was at that time Federal; (and was not the Senate also Federal?) and, with the spirit which ought to have been exerted, the evils of Jefferson's unlimited embargo might have been shortened, and probably a free commerce (instead of the miserable and mischievous non-intercourse and other restrictions) restored, especially if Connecticut had been invited to co-operate. *Obsta principiis* was the motto of the movers and leaders of our Revolution, before — long before — the obstinacy and pride of the British government rendered that Revolution unavoidable. The praises of the sages and heroes of that Revolution are in the mouths of all our political coxcombs; yet every man who now exhibits one spark of their spirit is denounced as the friend of Britain and the enemy of his own country, while other Federalists, alike sensible of the wanton oppression and tyranny of our rulers, have shrunk from every proposition that contained one particle of boldness.

When the war had been declared, the House of Representatives of Massachusetts, again Federal, addressed their constituents, to rouse them to that degree of opposition to our rulers which their interests and safety required, within the pale of the Constitution, recommending meetings of towns and county conventions. There was a convention in Essex, in July, 1812. We thought it neces-

<sup>1</sup> Pickering MSS. Printed in Lodge's "Cabot," p. 539.

sary to have a State Convention, and chose delegates to attend it. This measure was defeated at "The Headquarters of Good Principles."<sup>1</sup> I did not yet despair of our country; for, on conversing afterwards with Chief Justice Parsons, he told me the House would take up the business at the ensuing winter session. This arrived, and nothing was done. In 1813, the House of Representatives of Massachusetts addressed a long remonstrance to Congress, with just spirit enough in it to make it the *jest* of the *majority*. Massachusetts had now become an object of contempt. The majority men, and their partisans abroad, concluded that Massachusetts had neither talents nor fortitude to plan and to execute any efficient measure to control or to check their destroying projects. Hence I almost dreaded to hear of any movement in Massachusetts, lest, like all former ones, it should end in smoke, and sink the State still deeper in disgrace. My hopes are now revived, and this day strengthened, on seeing the names of the Connecticut delegates. I know them all, save Sherman, — who is the son or nephew of the famous Roger Sherman, and, I am told, a *clever* man. For a good while past, when intelligent and spirited Federalists of the Middle States (particularly of Maryland and Virginia) have said to me, "We look to New England, and especially to Massachusetts, for salvation," I have been ready to hang my head, I have been mortified in the extreme; because I could say nothing to encourage their hopes and confidence.

I am inclined to think there was a time, in the early period of the war, when the sentiments of a New England Convention (which might have been strengthened by a delegation from New York, by the authority of their Federal House of Representatives), boldly and firmly expressed, might have put an end to it, while Britain was solicitous to make peace, without the offer of any hard or unpleasant terms.

I hope in God that the delegates of Massachusetts (a decided majority, at least) may now prove their readiness to *act* as well as to *speak*. I consider the destiny of New England, and, in the result, of the United States, to be placed in the hands of the proposed Convention. While any symptoms of *faint-heartedness* will ruin all, the wise sentiments and efficient plans the Convention will be able to express and devise, and the dignified firmness with which they shall be enforced, forbidding every suspicion that they will not

<sup>1</sup> See pp. 240, 275.

be verified in *act*, will insure the wished-for success. The forlorn condition of the general government, and the destitute and helpless situation of the States south of the Potomac, will render your victory easy and complete. That victory will be used not to *destroy*, but to *recover* and *confirm*, the Union of the States on more equal, solid, and durable bases. . . .

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PICKERING TO LOWELL.<sup>1</sup>

(Confidential.)

CITY OF WASHINGTON, Nov. 7, 1814.

MY DEAR SIR, — I observe that Mr. Cabot is at the head of the list of the Massachusetts delegates for the Convention at Hartford; and I am glad to see him there. His information is extensive; his experience and observation, invaluable. I do not know who has more political sagacity, a sounder judgment, or more dignity of character with unspotted integrity; and perhaps no man's advice would go further to save a nation that was in his view *salvable*. But does he not despair of the Commonwealth? He considers the evil — the *radical* evil — to be inherent in the government itself, in democracy, and therefore incurable. Will he, then, think any plan which the wisdom of the Convention may devise worth an effort of his mind? Yes, it will be answered, or he would not have consented to take a seat in it. But was he not *pressed* into this situation, *reluctantly* consenting to take it? Much against his will, and contrary to his own better judgment, he was placed at the head of the committee which, in 1806, subscribed and sent to Washington the remonstrance drawn by Lloyd against the British doctrine concerning neutral trade. He signed it (he afterwards told me) *officially*, as one of the merchants' (or town's) committee.

He once said to me (perhaps twelve or eighteen months ago), "Why can't you and I let the world ruin itself its own way?" These were his words: they sunk deep into my mind, and I confess to you that they never occur to my thoughts unaccompanied with regret. In this wicked world, it is the duty of every good man, though he cannot restore it to *innocence*, to strive to prevent its *growing worse*. This has been your course. As Paul among the Christian apostles, you among the political teachers may say, "I have labored more abundantly than they all."

<sup>1</sup> Pickering MSS. Printed in Lodge's "Cabot," p. 541.



PICKERING TO LOWELL.<sup>1</sup>

CITY OF WASHINGTON, Nov. 28, 1814.

DEAR SIR, — Although I have lately troubled you with several letters, I trust you will excuse one more.

As my thoughts cannot fail of being much occupied with the deplorable condition of our country, the cause of its calamities, the means of deliverance, and the practicable guards against their return, — subjects of the greatest importance, but of the greatest difficulty, and which necessarily turn my eyes toward the Hartford Convention as the best hope of our best men, — so I consider it the duty of reflecting minds to contribute whatever occurs that may with any probability merit the attention of that body. While, therefore, I offer my mite, I am highly gratified that this great subject now employs your pen.

Like you, I have uniformly disclaimed every idea of a separation of the States, while the liberty and safety of the parts can be maintained in a union of the whole. At the same time, I have considered that there may be evils more to be deprecated than a separation.

An intelligent member from Kentucky lately remarked to me that a connection of New England with the States on the Mississippi and its waters would be more advantageous to the former than the Southern Atlantic States, because the latter will have considerable navigation of their own, while their products will be less abundant than those of the Western States, which must for ever remain destitute of ships and seamen. He mentioned their flour, tobacco, flax, hemp, and cotton, already vast in amount, and rapidly increasing. For some time past, I had contemplated this subject in a like point of view, although formerly I, with many others, felt disposed to let the Western States go off, leaving the “good old thirteen States” (as John Randolph called them) to themselves, and, so left, it is natural to suppose they would be more firmly united; for the Southern States, conscious of their separate impotence, would cling to the strength of the North.

After deciding on the means of defence and relief from present calamities, I presume the Convention will consider how we may best guard against their future recurrence, by amending the Constitution. It may be necessary, —

<sup>1</sup> Pickering MSS. Printed in Lodge's “Cabot,” p. 542.

1. To abolish negro representation.
2. To prohibit the durable interruption of commerce under any pretence, nor at all without the concurrence of nine of the Atlantic States.
3. To render the President ineligible a second time.
4. To prohibit the election of a second President from the same State in immediate succession to the first.
5. To restore the original mode of electing the President and Vice-President, to prevent the election of a fool for the latter.
6. To make some new provision for appointing to offices, civil and military. Ever since Jefferson came to the chair of state, the public offices have been instruments of bribery, more extensive and more influential than the treasury of England in the hands of her ministers. This system of Jefferson and Madison has, more than all other causes, corrupted the morals of the people.
7. To render naturalization more difficult, and absolutely to exclude from office and from the national legislature all who are not natives.
8. To limit the number of Representatives, which, whatever shall be the future population of these States, shall never be exceeded.
9. To require the vote of two-thirds or three-fourths of each House of Congress to a declaration of war.
10. As a further check to the waging of wars of ambition, of pride, of hatred, or of any other evil passion, to prohibit the borrowing of money by means of any discount or bonus, or at any rate of interest higher than the average rate of interest in the three States which, in the year next preceding the declaration, shall have contributed the largest sums to the regular public revenues. If the country at any time is not in a condition to engage in a war without usurious loans, it will amount to a proof that war ought not to be made. If war be commenced against the United States, and for causes so flagrantly unjust as that the government cannot prevent it, then, as the attack will rouse the whole nation, neither men nor money can be withheld in its defence.
11. What can be done with the country west of the Mississippi? If, as it becomes peopled, new States are to be founded, the old Atlantic States will become insignificant. To avoid this evil, shall the States west of the Mississippi form a separate confederacy?
12. It has more than once occurred to me that the first power granted to Congress, in the present Constitution, has not been accurately understood:—

"The Congress shall have power —

"To lay and collect taxes, duties, imposts, and excises." I ask For what purposes? and answer in the words of the Constitution "to pay the debts, and provide for the common defence and general welfare of the United States." The words which follow prove this to be the correct construction; "but all duties, imposts, and excises shall be uniform throughout the United States." As we have often heard this passage quoted, the laying and collecting taxes, &c., has been taken for one power; and "to pay the debts and provide for the common defence and general welfare of the United States," as a separate and distinct power: and that of providing for the general welfare, as an independent and universal power, where not expressly limited in other parts of the Constitution; a power to be exercised in all things affecting the general welfare, without any reference to the expenditure of the "taxes, duties, imposts, and excises."

Such are the ideas which have now occurred to me; and, possibly you may think some of them proper to be embraced in your inquiry, "What the Convention can do, and ought to do &c., I have taken the liberty thus to communicate them for your consideration.

A friend of mine from Albany has just put into my hands a letter, which, he says, is written by a worthy and judicious man of that city. It is dated the 23d instant. The writer says, "We have given up all hope of any better times from any thing in the power or disposition of the general government, and have turned our eyes to the East, from whence we hope to see the sun of liberty arise once more, to cheer our hearts and bless our country. Democracy is sinking here daily, even in their own estimation. And, should the Eastern States move on unitedly in the great work, I believe I may say, without the spirit of prophecy, that the State will wheel in almost one solid column in support of the measures."

"The pressure in this place for cash is greater than has ever been known. STATE BANK sick — cannot take any food. J. J. [John Tayler, the lieutenant-governor, a zealous Madisonian] as pliable as any man, — fears his loan to government is gone. Spencer is much alarmed; and even E. Knowler speaks evil of the administration; and some of our Demos admit the principle, while alone, 'that the Eastern States have the right of proceeding to protect themselves.'"

Multitudes in Vermont are making money by the war. And, considering the small preponderance of Federalists in that State, I have thought it prudent in them to suspend a co-operation until the proceedings of the Convention should be known, when Vermont can without difficulty form a junction.

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LOWELL TO PICKERING.<sup>1</sup>

(Confidential.)

Boston, Dec. 3, 1814.

DEAR SIR, — You wrote me on the 7th of November a confidential letter on the subject of the Convention at Hartford, to which I have failed to reply, owing to my engagements. My feelings on that subject, I perceive, are very similar to yours. How far our projects would agree, I cannot say. I gave great offence during the sitting of our legislature by openly opposing the calling a convention. I was attacked with great asperity by some of my best friends, and, among the rest, by my friend B. Pickman, Jr., at the Governor's, who threw in a hint or two also against me.

But when I explained my reasons, which were that I was convinced that the Convention would not go far enough, and that the first measure ought to be to recommend to the States to pass laws to prevent our resources in men and money from being withdrawn, they all started, and said I was going farther than anybody.

I was always convinced, and am now, that the Convention will do little; that they will be ridiculed by one party, and loudly censured by the other. I admit that it is a very responsible situation, and one of great difficulty; but they ought not to have accepted it, unless they felt, each one for himself, that he was ready for great and decided measures, although he might not have made up his opinion as to what they would be.

I say no man should have accepted such an office, if he expected it was to end in mere argument or remonstrance.

We have had enough of these from Mr. Gore's admirable report, in 1809, to Mr. Otis's excellent preamble to the resolutions appointing this Convention. Words are exhausted. We have said more than was said by all the public bodies in the United States prior to the Declaration of Independence.

I was opposed sincerely and most zealously to the Convention,

<sup>1</sup> Pickering MSS. Printed in Lodge's "Cabot," p. 545.

because I found no one man among its advocates prepared to *act*. When you ask any of them what the Convention will do, you will find it is expected they will talk: talk of amendments, talk of militia, talk of defence, talk of being paid out of the national taxes what we advance, but nothing more. I was not anxious for any decisive measures at present. I deprecate, as one of the greatest of evils, a separation of the States. I thought, and think now, that the people *en masse* will act in six or twelve months more. I think the remedy *then* will be more effectual, and will produce more *lasting* good effects.

But I was wholly opposed to a premature and feeble effort. Nothing sinks the character of a people, or diminishes the force and influence of a party, so much as suppressed efforts, vain and futile exertions.

For measures of wisdom and prudence, to be considered and adopted in common times of tranquillity, perhaps the choice could not have fallen on more suitable persons than those selected from our State.

Whatever they propose will be received with great respect by the people; and the boldest measures would be considered prudent, if suggested by them.

But they are not calculated for bold measures. Mr. Cabot is undoubtedly the wisest man in our State, or among the very wisest. He has the best stored mind of any man I ever saw, except Hamilton. He is a very practical man, well acquainted with every thing which concerns the best interests of a nation; but Mr. Cabot has been always a desponding man as to our public affairs, and their downward course has confirmed his opinions. He hardly thinks the temporary preservation of the State worth the effort, and he is most reluctantly dragged in like a conscript to the duty of a delegate. He has no confidence in the possibility of awakening the people. He will not, therefore, be in favor of any measures which will disturb our sleep. So at least I fear; for I cannot find out from him what his opinions are.

Mr. Otis is naturally timid, and frequently wavering, — to-day bold, and to-morrow like a hare trembling at every breeze. It would seem by his language that he is prepared for the very boldest measures; but he receives anonymous letters every day or two threatening him with bodily harm. It seems the other party suspect his firmness. He is sincere in wishing thorough measures; but a thousand fears restrain him.

Bigelow is really bold on the present question, has a just confidence in the power of Massachusetts, sneers as he ought to do (and as I am sure I do) at all the threats of vengeance of the other States; and, if he was well supported, I have no doubt that measures of dignity and real relief would be adopted.

Prescott is a firm man, but extremely prudent, and so modest that he will too readily yield his own opinions to the counsels of others whom he respects. I think he will give his aid to measures calculated to procure solid redress.

Mr. Dane you know. He is a man of great firmness, approaching to obstinacy, singular, impracticable; and, of course, it must be uncertain what course he will take. Honestly, however, inclined.

Mr. Wilde, of Kennebec, is a very able man, but one of very great caution and prudence. He lives among a people naturally bad and violent; and I should fear that his counsels may be influenced by that circumstance.

These are the men who will have the greatest influence in our delegation.

It is to be regretted that we had not chosen two or three such persons as Daniel Sargent, William Sullivan, and Colonel Thorndike. I do not know that we have among the delegates a single bold and ardent man. I know it will be said that such men are not the fittest for counsel. That is perhaps true in common times; but in times of great trouble they are often the most proper, and, indeed, the only ones fit to direct and manage affairs.

I should fear that the Connecticut delegation, though extremely respectable, was much of the same character.

If it is thought expedient that nothing decisive should be done, then it is to be regretted that so respectable a Convention was called, because it tends to degrade and disgrace the members and the people who sent them.

But, if effectual measures were in contemplation, it is in my judgment to be regretted that some few more active and resolute men were not elected.

There does not seem to be any difference in opinion as to the extremely hazardous situation in which we are placed, nor as to the incapacity and injustice of our rulers, nor as to their having deserted us, and in effect abdicated the government; nor does there seem to be any hope of redress in a usual course. It is admitted, also, that pecuniary ruin is inevitable; and that there is a certainty of national disgrace, and some danger of attempts against our civil

liberties. Yet people seem to have a dread of any effectual measures for relief.

They tell you how divided we are, and how strong the party of government in other States. They pretend to fear a civil war, if we assert our rights.

My reply is, The state to which you are advancing in consequence of the measures of government will inevitably produce all the evils you dread of civil commotion and separation, besides the others of absolute pecuniary ruin and national disgrace; and, as to measures of relief, the people are ten times more likely to join you, if the measures you propose are practical, and bring them instant and perfect relief, than if you adopt circuitous political schemes to procure a distant and precarious one.

Hence a proposal to relieve them from taxes which go to support distant States, and to carry on a wicked and useless invasion, will be received with delight by men of all parties; and a truce or separate peace would be the most popular measure which could be devised.

If you have, then, settled in your consciences that the government cannot have a right to tax you, or force you to defend yourselves, when they have wickedly, purposely left you defenceless, what should prevent you from saving yourselves from destruction?


It is answered, The wrath of the Southern States, and the danger of your own minority.

As to the first, it is too ludicrous to require an answer. Under the best circumstances, it would be a pretty arduous undertaking for all the Southern States to attempt the conquest of New England; but, reduced as they now are to indigence, it would be more than Quixotic.

As to our own minority, there is nothing which will ever unite them to the majority so readily as laws to prevent the collection of the proposed United States taxes, and the levy of troops, and the declaration of neutrality.

What a satire it is that the moment the British take possession of any part of our country, and relieve it from the yoke of its own government, its inhabitants are happy and grow rich! Its lands rise in value, every species of property is enhanced in price, and the people deprecate the prospect of being *relieved* by their own government. Yet such is the fact, in the two lower counties of this State.

Let no man fear the discontents of our own people. They will hail such events as blessings.



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But the permanent advantages of such measures will be greater than their immediate effects.

It is admitted by all persons that we must have some radical amendment of the Constitution as to slave representation, laws regulating trade, declaring war, &c. Can this ever be effected by CONVENTIONS, — by General Conventions? No: we shall be out-voted. But if you once take a stand, and say, "We go no longer on with you, unless you agree to these stipulations," you will SUCCEED. You must.

I would have it a *treaty*, not a *constitution*. The latter is mere paper, violated at pleasure by interested or ambitious men. But, when a treaty is broken, you know your remedy.

I would have the Northern States demand of the Southern States certain stipulations as parts of the compact, which should be duly signed by commissioners and ratified by the States, respectively.

These, sir, are my loose ideas on this subject; but I have little, I may say *n.*, hope that any thing will be done except, —

1. An address to the people of the United States, as a general *exposé* of our grievances;

2. Proposals for amending the Constitution by general convention;

3. That Congress should be invited to permit us to pay our own expenses of defence out of the national tax.

This I believe is the project. I judge it only from the coldness with which my ideas are received, and some hints occasionally dropped.

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PICKERING TO HILLHOUSE.<sup>1</sup>

CITY OF WASHINGTON, Dec. 16, 1814.

MY DEAR SIR, — I am now sitting alone in our old chamber in the "Six Buildings," from which we attacked the embargo, while you are in council with the wise men of the East. I do not consider the New England Convention as consulting for those States alone, but for the Federalists generally throughout the United States. In other words, I consider the interests of the great body (certainly the most valuable portion) of the people of the United States as resting on the result of your proceedings. I am sure there is no lack of wisdom: it would not be an easy matter to

<sup>1</sup> Pickering MSS. Printed in Lodge's "Cabot," p. 551.



assemble an equal number of other citizens, where equal wisdom could be found. But a full knowledge of the evils demanding remedies, and a forcible representation of them, will make no impression on the hardened sinners upon whose heads those evils must be laid. I deprecate every thing which shall *simply be put on paper*. We have too long contented ourselves with memorials and remonstrances: they procure for us nought but contempt. And contempt from wretches in power, who are themselves so contemptible, is sufficiently provoking. When I look round me, and see vice and presumptuous ignorance triumphing over wisdom and virtue, — triumphing in cases involving the character and great interests of the country, and putting our liberties in jeopardy, — it is impossible to repress my indignant feelings. If the Convention leave us in this miserable situation, we may despair of the Commonwealth. Strong measures alone will procure relief. Their strength and boldness will render them efficient. From sound Federalists in this portion of the Union, I have for years heard only this declaration, “We look to New England for salvation.”

I wished, my good friend, for an earlier interposition of New England to stay the hands of our destroyers. *Obsta principiis* was the governing maxim, when we resisted incipient oppression by the mother country, — an oppression rather in *prospect* than in *action*. But for the last seven years we have been submitting to one act of tyranny after another, until the people, familiarized to oppression, have their spirits depressed and humbled to a degree which, if longer borne, will render the cause of our country hopeless. It is necessary for the Convention to take those firm and decided steps which will rouse the people from the *spell* which, through an unfounded fear of breaking the Union, the boldness and impudence of political mountebanks have imposed upon them. You have nothing to apprehend from the most imbecile of all governments, and certainly nothing from individual States. Those which eagerly approved the war are exhausted. Virginia cannot protect herself. Her militia have been called forth the past summer and autumn, and are thoroughly disgusted. Their rulers seem to have paid less attention to them than to their slaves. I have read a letter, dated at Richmond the 2d of November, from a Senator in their State legislature to his son-in-law in Congress, in which he says, “We have an army of militia, chiefly from twelve to forty miles below, who are generally very sickly, dying, and suffering for almost every military and camp accommodation.” A very worthy

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and intelligent Virginian member of Congress, who has had a son (a lieutenant) with the militia at Norfolk, informs me that of the militia of that State, which has been called to the defence of Norfolk, between three and four thousand have perished. A letter from my friend, the Adjutant-General of Massachusetts, recently received, informs me that of the three thousand six hundred militia called out by Governor Strong for the protection of Boston, and who were in service about two months, three only died, and one of the three from an injury received at home. I have read another letter, dated October 31, to the same member of Congress, from a respectable Virginia gentleman, who had then just been in the lower parts of the northern neck in Virginia, which had been visited by the British. He says, —

“You, believe me, can have no idea of the losses, sufferings, and dreadful distresses with which the inhabitants of it are encircled. The idea of the war’s continuing fills them with complete horror. For they say, and truly, that the lakes, frontiers, fisheries, &c., are phantoms to them, when brought into competition with their exposed and ruined situation. In short, a more miserable, ill-fated, poor set of men never lived. I am confident, if some prompt and efficient measures are not adopted by Congress (for it seems the Virginia legislature will not do any thing) for their relief, they will take care of themselves by entering into the best terms they can with the enemy.”

“I admire greatly, indeed, the resolute conduct of Massachusetts and her sister States of the East. They have the firmness and the virtue, I am persuaded, to wield their counsels in such a manner as to compel the obdurate President and his execrable followers to abandon their foolish measures of conquest, and to withdraw our armies into the Union for the protection of the country.”

The writer subjoined to his letter what follows: “Your old acquaintance, Colonel John Taylor, of Caroline, is out of all kind of patience with Madison and his party. He declares that the government is positively *mad*, and that the British will another summer get this whole lower country: this he said yesterday.”

It seems to be the opinion (certainly the fearful apprehension) of Western men that New Orleans will be taken by the British. If well conducted, the expedition can hardly fail. If it succeeds, it will be with a view to hold it; and hold it they will, against the whole force of the Western States, such is the nature of the ground on the Isle of Orleans. For about thirty miles above the

city, the strip of land is but a mile wide, between the Mississippi and impassable swamps. This fact has been stated to me by Mr. Brown, one of the Senators from Louisiana. I asked him the question, whether, if once in possession of Orleans City, the British could be expelled? He answered, "It would be extremely difficult to dislodge them." I am confident it will be impracticable. It will be easy to erect an impassable barrier from the river to the swamp. And their armed vessels and boats on the river would render the post unassailable by water. On the other side of the city, the creek (Bayou St. John) connected with Lake Pontchartrain approaches within four or five miles. But this also, according to my information, will give no room for an enemy to land, being so easily defended. And it is for this reason concluded that the British will make their attempt by ascending the Mississippi.

From the moment the British possess New Orleans, the Union is severed. They will not intermeddle with the governments of the Western States: these will be told to manage their own affairs in their own way. New Orleans will be the market for all their productions, which will be transported in British ships to every country in the world where there is a demand for them. Their tobacco will find a market in Europe, their cotton will all be wanted in the British manufactories, and their hemp for their ships. Their flour, when they shall have improved their mills, and their beef and pork, when they shall have learned better to cure and pack them, will go wherever men want food. What now constitutes the State of Louisiana will be changed to a *province*, with a *legitimate* annexation of West Florida by cession from Spain. The bulk of the inhabitants, bred under monarchies, will not dislike the change; while the whole population, French, Spaniards, and Americans, finding themselves in the possession of self-government to every useful purpose, under a provincial legislature, with a British governor (who, from the immense importance of the charge, will be one of their ablest men), will be *quite as well* satisfied (I am sure they will have reason to be so) as with the creature first imposed on them by Jefferson, and since continued by the votes of the busy electioneering portion of the people, who are not seldom their own worst enemies.

The Western people will have no choice; and, after a little experience, they will not be displeased with their new situation. Their products will probably find more extensive markets than they would as members of our Union. When peace takes place, should the

cottons of Carolina and Georgia interfere with theirs in the British markets, a small extra duty may be imposed on the former. The incalculable advantages Great Britain will derive from the acquisition of Orleans will induce her to cherish the good-will of the Western people. This, indeed, will require no more than a reasonable attention to their interests, and this again will best promote those of Great Britain.

Thus will Great Britain be virtually possessed of immensely rich provinces, increasing in population more rapidly than ever, without the trouble and expense of governing and defending them.

This severance will of course annihilate the *war debt*. The Western States will also take to themselves all the public lands; while they will excuse themselves from paying any part of the debt of our Revolution, for which those lands were pledged. Their annual sales will yield a revenue equal to the maintenance of all their State governments.

Such are my speculations, arising out of the present state of things. And, should the British succeed at New Orleans, I shall consider the views I have here exhibited as *ipso facto* realized. In one or two years, if the whole were left to the choice of the Western people, prompted by the most powerful interests, they would adopt them, while at the instant they must yield to necessity. And, as in their whole intercourse with those who at present are enemies, they will hear and read the English language only, they will soon forget that they had not always been one nation.

One more remark: should the severance above mentioned take place, from that moment the necessity of Union among the Atlantic States will strike every man who thinks, as forcibly as during our Revolution; and the feebleness of the States south of the Potomac will urge them to cling to those of the North, as the Connecticut vine to the tree which supports it. The terms of a new compact will be adapted to this new state of things.

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#### GOUVERNEUR MORRIS TO PICKERING.<sup>1</sup>

DECEMBER 22, 1814.

. . . I care nothing now about your actings and doings. Your decree of conscriptions and your levy of contributions are alike

<sup>1</sup> Pickering MSS. The whole letter is printed in Sparks's "Gouverneur Morris," III. 322.

indifferent to one whose eyes are fixed on a Star in the East, which he believes to be the dayspring of freedom and glory. The traitors and madmen assembled at Hartford will, I believe, if not too tame and timid, be hailed hereafter as the patriots and sages of their day and generation. May the blessing of God be upon them, to inspire their counsels and prosper their resolutions!

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PICKERING TO SAMUEL HODGDON.<sup>1</sup>

CITY OF WASHINGTON, Dec. 25, 1814.

DEAR SIR, — Last evening came to hand your two letters of the 20th. I will inquire about John Smith's lands, and let you know the result.

As to the Sugar Creek lands, or any other in which I have an interest, although I should be glad to sell at reasonable prices for money in hand or well-secured, I have no occasion to hesitate one moment upon an offer to exchange them for certificates of the war loans. I will have nothing to do with them. The war would have terminated in 1813, but for three foreigners, — An Englishman, David Parish; a Frenchman, Stephen Gerard; and a Dutchman, John Jacob Astor, — for our native capitalists would not directly lend their money to carry on this iniquitous and destructive war; but, those foreigners having taken the loan, our native citizens became lenders by purchasing of them the certificates of the war stock, and thus supporters of the war they detested as unnecessary, unjust, and ruinous.

But if these considerations did not present to me an insurmountable bar to any sort of participation in the war loans, another is in prospect. Unquestionably, the British expedition from the general rendezvous at Jamaica is destined against New Orleans. The latest intelligence, I do not know how it comes, is that it sailed the 20th of November, twelve thousand strong. As there are at New Orleans few regular troops, I cannot doubt that the place will be taken, if the British have a commander of decent abilities. If they take it, they will never restore it. It will become a British province; for all the power of the United States above cannot dispossess them, such is the nature of the country. Nor will those States have an interest to induce an attempt to dislodge the British. New Orleans in their hands will be a better market for the tobacco,

<sup>1</sup> Pickering MSS.

hemp, cotton, flour, and provisions, and soon for lumber, of the whole country watered by the Mississippi and its immense branches, than if it remained a part of the United States. Now, New Orleans once in the hands of the British, from that moment the Union of the States is severed, — the Western from the Atlantic States, — and with that severance the war debt will fall to the ground. Our Western brethren after involving us in this war, will abandon it and us. In less than one year, they will be perfectly reconciled to their new friends, with whom an intercourse and civility will be not more indispensable than agreeable. Speaking the same language, those who carry down their productions to New Orleans will perceive no change. The Americans will remain there mingled with British merchants, and carry on their business with equal harmony and success. The British will not intermeddle with the affairs of the States on the river. These will govern themselves as they do now, forming perhaps a new confederacy. This new confederacy will shake off all the debts of the present Union, and take to themselves all the public lands. The annual sale of these will furnish revenues equal to all the expenses of their united and separate governments, and save the people from what all dread, — taxes.

Such, in brief, are my views of the subject: views entertained at the instant that I read Admiral Cochrane's letter to the Lords of the Admiralty, in which he gave an account of the expedition to Baltimore, which was undertaken, he says, only to fill up a short interval of time until the equinoctial new moon should have passed, before which the intended expedition out of the Chesapeake could not be safely commenced.

Perhaps few if any persons have contemplated these consequences of the expedition to New Orleans: but, its success appearing to me highly probable even to moral certainty, I could do no less than communicate my view of them to you; and, having so done, I have only to request you to consider them, and give them no more weight than they deserve, if they deserve any.

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HILLHOUSE TO PICKERING.<sup>1</sup>

HARTFORD, Jan. 5, 1815.

MY DEAR SIR, — Enclosed I send you the result of the Hartford Convention, which is the best answer I can make to your invaluable

<sup>1</sup> Pickering MSS.

able letter of Dec. 16th, which I and my associates read with much pleasure. With sentiments of the highest respect and esteem, I subscribe myself your old and esteemed friend.

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GOUVERNEUR MORRIS TO MOSS KENT.<sup>1</sup>

MORRISANIA, JAN. 10, 1815.

DEAR SIR, — Yours of the 4th reached me yesterday morning. You will have seen that the Hartford Convention have been prudent. Their doings bring to mind one of La Fontaine's fables. A council of rats being convoked to devise measures of defence against feline depredations, a sleek young member was much applauded for proposing to tie a bell round puss's neck, which, giving seasonable notice of her approach, would enable every one to take care of himself. Before the question was put, an old rat (addressing the chair) said, "I too, sir, entirely approve of our young friend's proposal, but wish, before I vote, to know who will fasten on the bell."

Your Democratic acquaintance will doubtless make themselves merry at the mildness of Yankee measures. Such humble language must have a squeaking sound to ears that tingle with the full tone of a gentleman now Governor of South Carolina. You, however, who are somewhat of a Yankee, will see in the modest propositions from Hartford matter more serious than the rattling of words. Yankees like to make what they call a fair bargain, and will, I *guess*, easily take up the notion of bargaining with the National Government, which, according to my notion, can make no bargain of practical result which will not amount to a severance of the Union. Moreover, in the dearth of ready *rhino*, the administration cannot spare a part of New England's contribution; whereas New England, in adjusting the proportion, will probably guess that the whole is better than any part.

I am told that even now there are Federalists who wish for office. This seems strange. They resemble Philistines struggling for a seat in the Temple of Dagon while Samson was pulling it about their ears. . . .

<sup>1</sup> Printed in Sparks's "Life of Gouverneur Morris," iii. 326.

GORE TO STRONG.<sup>1</sup>

WASHINGTON CITY, Jan. 14, 1815.

MY DEAR SIR, — The bill for State troops has passed the House, with an amendment to the only section interesting to us, said not to be important.

The result of the Hartford Convention is here, and affords satisfaction to most, if not to all, — to some, because they see not the point nor consequence of the recommendation as relates to taxes.

The gentlemen had a difficult task, which, according to my poor judgment, they have executed with wisdom and discretion.

With great respect, I remain, my dear sir, &c.

GORE TO STRONG.<sup>2</sup>

GEORGETOWN, Jan. 22, 1815.

MY DEAR SIR, — The Congress have passed the bank bill as it last came.

There is some question whether the President will sign the act. This arises from its not containing a clause authorizing the issue of notes which the corporation shall be under no obligation to meet with specie.

Mr. Dallas has proposed to raise five millions of dollars more for the current year. Three millions of this to be on income. This is a direct tax; and, if assessed, must be apportioned on the States according to the Constitution. He proposes a tax of one dollar per barrel on flour, in the hands of the miller. He proposes a further stamp duty; viz., on all bonds, mortgages, conveyances of every kind, policies of insurance, bottomry bonds, &c., on wills and testaments, inventories of the estates of deceased persons, distributions and successions, — that is to say, legacies and devises, property by descent, &c. Mortified with the failure of his scheme of a bank, he may have done this with the view of pressing Congress to emit bills of credit, or to pass some bill supplemental to the act instituting a bank, authorizing that institution to issue their notes, and loan to government a large sum in bills, which the corporation shall not be obliged to redeem with specie.

<sup>1</sup> Printed in Lodge's "Cabot," p. 559, from Gov. Strong's MSS.

<sup>2</sup> Printed in Lodge's "Cabot," p. 560, from Gov. Strong's MSS.



These appear to me the spasms of a dying government. From New Orleans we have nothing further than what the newspapers afford. Our last accounts from that place are only to the morning of the 24th of December.

The bill authorizing the raising of State troops by the States, and at the expense of the United States, according to the plan sent you some time since, has passed both Houses. Thus one part of the recommendation of the Hartford Convention seems to be adopted. The other, that to authorize the States to receive the taxes, will probably be more difficult to be attained. The accession to this seems not to accord with Mr. Monroe's intimation in your letter, or rather in his letter to you. Indeed, if they have fears of the State governments, one can hardly account for this government's authorizing the States to raise and keep in pay, at the expense of the United States, troops which may be used for purposes hostile to or not conformable with the views of the paymaster. I remain, &c.

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PICKERING TO LOWELL.<sup>1</sup>

CITY OF WASHINGTON, Jan. 23, 1815.

MY DEAR SIR, — I have had the pleasure to receive your letter of the 16th inst. I regret that I did not acknowledge the receipt of your very interesting confidential letter of December 3d, and thus have prevented the anxiety which the omission has occasioned. It seemed that I might have communicated some parts of it to particular friends; but it has so happened that I remain the sole depository of its contents, and *now* no motive occurs to me for divulging any of your sentiments.

I believe that some of my very cautious friends and acquaintances think me too ardent in whatever pursuits of a public nature my attention becomes engaged; and hence it may have been supposed that I was not quite satisfied with the doings of the Convention. The fact, however, is otherwise; and, as you have been pleased to ask my opinion, I will express it with my habitual frankness.

I think the report of the Convention bears the high character of wisdom, firmness, and dignity. They have explicitly pronounced sentence of condemnation upon a miserable administration, and,

<sup>1</sup> Pickering MSS. Printed in Lodge's "Cabot," p. 561.

stamped as it is with the authority of a body of men so eminently distinguished, that judgment cannot fail of making a just impression where it is needed. They have made a declaration of *principles* the landmarks by which legislatures and the people may direct their course. And they have—in terms that none can mistake, and which our rulers, whatever for a time they may affect, will not venture to disregard—manifested a determination to apply those principles in corresponding measures, when the future conduct or neglects of the government shall require their application.

In their proposed amendments of the Constitution, I have the satisfaction to find that all, save that which regards the admission of new States into the Union, were among those which I took the liberty to intimate to you in my letter of the 28th of November. One which I had deemed of vital importance is omitted,—that respecting *the appointment of public officers*. I was aware of its intrinsic difficulties; while the observation of fourteen years had convinced me that it was the great instrument of corruption, and more than all other means had confirmed and extended the power and influence of the executive. Probably the Convention thought that the limitation of the President's power by a single election, both as to the person and the State from which he should be taken, would furnish an adequate check. Or it might be among the number of further amendments alluded to as expedient, but under the circumstances mentioned less urgent than the others, and therefore not explicitly stated.

With regard to the admission of new States into the Union, events with which the present moment is teeming may take away the subject itself. If the British succeed in their expedition against New Orleans,—and, if they have tolerable leaders, I see no reason to doubt of their success,—I shall consider the Union as severed. This consequence I deem inevitable. I do not expect to see a single Representative in the next Congress from the Western States. Those States, with the Territories, will be under the necessity of being at peace with the British; and they will make a virtue of necessity, and this necessity they will soon find to have materially promoted their interests. All the public lands west of the Alleghany Mountains will go with them. Migrations thither from all the Eastern States have been constant during the war, and its continuance will increase them. But, without entering farther on this subject, permit me to refer you to a late letter from me to Gov-

ernor Strong, in which I have sketched the great and, in my view, certain consequences of the capture of Orleans. Indeed, I wish you to read it.<sup>1</sup>

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PICKERING TO JOHN LOWELL.<sup>2</sup>

WASHINGTON, Jan. 24, 1815.

DEAR SIR, — I have just read Mr. Lloyd's letter to Mr. Randolph. Political reasons (I mean those of prudence and policy) probably checked the severity of animadversion which Randolph's letter would have justified. The friendly acquaintance between them, in the two last years of Mr. Lloyd's senatorial term, doubtless contributed to his forbearance. The answer does not exactly suit me. The style is too artificial, not a little ostentatious, and somewhat obscure. His suggested amendments of the Constitution are very deficient; his proposed changes in the administration impracticable; and his only and exclusive condition of peace unadvised. The *status ante bellum* Great Britain will not agree to (unless she meets with a disastrous repulse at New Orleans), nor then, I am inclined to think. Her disappointment there may induce her the more to insist on retaining the country east of the Penobscot. Doubtless, her statesmen have looked forward to the period when these States, so rapidly growing in power and extent, and continuing united, may be disposed to dispute with her the empire of the sea. By taking and holding New Orleans, and consequently commanding the whole Western country, she will break the Union, essentially diminish the power of the United States, and thus remove from us to a distant period, perhaps for ever, the temptation to engage in such a contest. From the whole Western world, although a score of new States should be added, she will have nothing to fear. I have sometimes contemplated, not without horror, the terrible conflicts on the ocean, to be expected between the British and American powers — after I am gone, indeed, but before my children all pass off the stage. The looked-for separation may save the two countries from that mighty evil. The Atlantic States remaining united will in due time acquire a force sufficient to guard them from insult and injury, but short of that which would tempt ambition to involve them in destructive wars

<sup>1</sup> This letter is printed in Lodge's "Cabot," p. 557.

<sup>2</sup> Pickering MSS.

with children of our common ancestors. This view of things presents an additional reason to repress solicitude, where it exists, among any Atlantic citizens to recover New Orleans, should it fall into the hands of the British. Domestic or internal motives have excited in many a willingness, and in some a wish, that the Western States might go off and leave the Atlantic States free from their mischievous control, — a control every day becoming more powerful and dangerous. [On this subject, I do not ask you to communicate your thoughts. A conversation will be better; and in two months I hope to see you.]<sup>1</sup>

Chief Justice Marshall is an excellent man, and highly distinguished for his mental powers; but I greatly misjudge if Mr. King will now consent to be second to any man in the United States. Was it not rather assuming for an individual to propose such an arrangement?

Much cause as I have to be displeased with Mr. Adams, I bear him no ill-will; and I was glad to see Mr. Lloyd's vindication of his character against the virulent, unmanly, and unchristian reproaches of Mr. Randolph. No part of the letter does Mr. Lloyd more honor, in respect to the sentiments expressed; and in the manner no part is equal to it.

That capital error of Mr. Adams, in instituting the mission to France in 1799, I have long thought originated with Mr. Jefferson, or his agents; operating on his vanity and ambition, to which he sacrificed his country's dignity and his own, and prostrated the Federal cause. . . .

<sup>1</sup> Erased in draft.

## INDEX.

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Act of Congress of 27th January 1815, would have superseded the commission of the Hartford Convention, 87, 269-273, 325. Passage of the act, 422, 423.

Adams, John. Charged with favoring monarchy, 63. Resentment against Hamilton, 76, 334, 335. Sketch of his administration, 149-151, 312. Described by Timothy Pickering, 331, 426. His conversations with Pickering, Goodhue, &c., 332, 333, 335-337. His vanity, insincerity, selfishness, ambition, and revenge, 331, 332, 335-337, 426. His opinion of Jefferson, 336; of J. Q. Adams, 337. His influence in opposition to a Northern confederacy, 361.

Adams, J. Q. Mr. Jefferson's feelings towards him, 2, 10. Mr. Jefferson's account of interview with him, 11-13, 29, 31, 236, 240. Mr. Giles's application to Mr. Jefferson for facts regarding him, 14-17, 20. His charges against certain leaders of the Federalist party, 12, 43, 52, 55, 56, 63, 73, 77, 90, 93-106, 108, 111-114, 122, 126, 127, 129, 133, 191, 209, 210, 212, 221, 228. His statement in the "National Intelligencer," 23, 27-42, 63, 212, 213, 227. His interview with Mr. Jefferson, 24, 51, 59, 73, 75, 115, 116, 125, 127, 139, 141, 200, 231. His letters to Mr. Giles and others in 1808-9, 25, 26, 34, 36, 37, 51, 73, 76, 79, 89, 120, 127-139, 142, 204-208, 236, 301. His reply to the letter of H. G. Otis and others calling for proof of his charge against certain leaders, 46, 66. His course in regard to the acquisition of Louisiana, 54, 57, 155-159. His alienation from the councils of the Federal leaders, 56. His proposal in the Massachusetts legislature in 1802, 57. His opinion that resistance by a State to an act of Congress places the State *quoad hoc* out of the Union, 58. His embarkation for Russia, 60. Had no evidence that would bear to be submitted, 66, 217, 227. Reply to his objections to the demand for evidence, 66, 67, 70-72. Few citizens set weight on his estimation of them, 67, 219. An unjust accuser, 73. His temper of mind at the time of his interview with Mr. Jefferson, 75, 226. Reproached with voting and not deliberating, 75, 173, 174, 233. His personal views, 76, 94-96. His letter to J. A. Hamilton, 93. His special pleading, 97. His antipathy to Hamilton, 98. His reply to the appeal of H. G. Otis and others, 107. His review of the

- works of Fisher Ames, 115. His letters to Ezekiel Bacon, 127, 181, 137. His doctrines of internal improvement, 140. His relations with Mr. Jefferson, 151, 209, 236. Elected to the Senate, 154. His resolutions on the Rule of 1756, 172. His vote on the Non-Importation Act of 1806, 172, 173. His vote on the act regarding St. Domingo, 175; on the \$2,000,000 appropriation, 175. His course on the affair of the Chesapeake, 181-185. Discarded from the Federal party, 185. His resolutions of 28th October, 1807, 189, 190. His bill for the preservation of peace, 190. His course in regard to the embargo, 190, 208. His attendance at the Republican caucus in January 1808, 197. His relations with Messrs. Giles and Nicholas, 197. His interview with Josiah Quincy, 198, 246, 300. His answer to Mr. Pickering's embargo letter, 200. His relations with Mr. Otis, 201. His defeat in the legislature in 1808, and resignation of his seat in the Senate, 75, 202, 203, 205, 226, 233, 372. Never converted to the Republican party, 209. His obligation to deny Mr. Jefferson's statement, 72, 234. His appointment as Minister to Berlin, 337.
- Ad-t, French Minister. Bribed members of Congress, 388.
- Ames, Fisher, 115, 194. His essay on the "Dangers of American Liberty," 285. His opinions in regard to the project of a Northern confederacy, 353, 358. Letter to Pickering, 365.
- Appeal of Massachusetts Federalists to the citizens of the United States, 63.
- Armstrong, John. Minister to France, 187, 377, 379.
- Astor, John Jacob, 419.
- Bacon, Ezekiel, 243, 301. Letters to, 127, 181.
- Baldwin, Abraham, 159.
- Baldwin, Simon. His denial of belief in the Northern confederacy of 1803-4, 102.
- Bank Bill, passage of, 422.
- Bayard, James A., 242.
- Bigelow, Timothy. Member of the Hartford Convention, 412.
- Blanchard, Samuel. Letter to Pickering, 378.
- Bonaparte, Napoleon. His Berlin decree, 187, 188, 383. His Milan decree, 191, 383. His influence on American politics, 193, 199, 208, ..., 379, 380. Conduct of his government towards America, 194, 198. Favors the embargo, 377.
- Brown, James. Senator from Louisiana, 417.
- Burr, Aaron, 151, 163-167, 342, 354, 355, 364. His interviews with Roger Griswold, 355, 358.
- Cabot, George, 125, 181, 200, 222, 224, 260, 262, 263, 368-371, 378, 386, 406. Letter to Pickering on the project of a Northern confederation, 346; to Rufus King on the same, 362. Favors the election of Burr,

## INDEX.

354. Letter to Pickering advising the  
clarifying the importance of preserving the  
by Pickering, 368, 369, 406; by Lowell,  
Cabot, Henry, 45, 91, 152, 222.  
Callender, James Thomson, 154.  
Canning, George, 177, 186, 226. His arrogant  
Champagny, 199.  
Chase, Samuel. Impeachment of, 161, 170,  
Chesapeake. See *Leopard*.  
Clinton, De Witt. His speech in January  
Candidate for the Presidency in 1812, 34  
Confederacy. See *Northern Confederacy*.  
Convention of inn-holders in the counties of  
Hampden, 286.  
Craig, Sir James, 120, 122. His instructions  
124, 238.  
Cushing, William, 244.
- Dallas, A. J., 422.  
Dana, Samuel, 106.  
Dane, Nathan, 412.  
Davenport, John. His denial of belief in t  
1803-4, 100, 101.  
Dexter, Franklin, 45, 92, 108, 152, 215.  
Dexter, Samuel. Mr. Adams's interviews  
ion of the unconstitutionality of the emb  
His speech in Faneuil Hall in 1812, 240,  
Dutton, Warren, 45, 91.  
Dwight, Timothy. His century sermon, 361
- Embargo, 59, 79, 115, 128, 129, 133, 134, 14  
372, 377, 379-381, 392, 404. Its constitution  
243-245. Passage of the act, 188, 247  
376, 387.  
Eppes, John W., 208, 401.  
Erskine, D. M. His mission, 60.  
Essex Junto, 108, 114, 149, 151, 152, 203. .  
369, 371.
- Fox, Charles James, 176. His blockade, 176
- Gardinier, Barent, 199.  
Gardner, S. P., 379.  
Gates, Horatio, 332.  
Gerry, Elbridge, 150, 243, 388.

- Ghent, Peace of, 90, 265, 288, 326. Negotiations at, 394. British demands, 394-402.
- Giles, William B. Letters to the "Richmond Inquirer," 1, 14, 27, 140. Letters to, from Mr. Jefferson, 6, 11. His application to Mr. Jefferson for facts regarding Mr. Adams, 14-19, 143, 144. His letter to Mr. Jefferson, 20. His account of Mr. Adams' pretended conversion, 20, 21, 112, 155, 172. His intervention between Mr. Jefferson and Mr. Adams, 20, 21, 24, 117, 139, 181, 231, 232, 234, 235. His remarks on Judge Stuart, 27. His comments on Mr. Adams's statement, 28-34. His denial of correspondence with Mr. Adams, in 1808-9, 34, 35, 37, 38, 139. His letter of 7th November, 1808, to Mr. Adams, 203. His account of the repeal of the embargo, 39-41. His character, 138. His opinions in 1809, 141. His objects in 1827, 142. His relations with Mr. Adams in 1808, 197. His enforcement bill, 377.
- Girard, Stephen, 419.
- Goddard, Calvin. His denial of belief in the Northern confederacy of 1803-4, 104.
- Goodhue, Benjamin, 333, 335. Letter from, 336.
- Goodrich, Chauncey, 263.
- Gore, Christopher. Letters to Mr. Pickering, 875, 886; to Gov. Strong, 410, 422.
- Gould, James, son-in-law of Uriah Tracy. His letter to the editors of the "New York Evening Post," 98.
- Griswold, Roger. In favor of the project for a Northern confederacy, 106. Examines the finances of the Northern confederacy, 342. His letter to Wolcott on the project of a Northern confederacy, 354. Favors the election of Burr as governor, 354. His interviews with Burr, 355, 358.
- Hamilton, Alexander. Charged with peculation, 63. His quarrel with John Adams, 76, 98, 108, 151, 202. His consent to attend a meeting in Boston in the autumn of 1804, 106, 145. His death, 146, 170. His connection with the project of a Northern confederacy, 147, 167-169, 242. His disapproval of the project, 148, 169, 326, 365. His course during the administration of John Adams, 149-152, 291. His paper explanatory of his duel with Burr, 163, 166-169. His paper "Lansing or Burr," 167. Complained of the New England spirit as "clannish," 283. His alliance with New England Federalism, 284. His retirement from Washington's administration, 291. His appointment as commander-in-chief in 1798 advised by Mr. Pickering, 332. His rank of first major-general intended by the Senate, 333. His nomination as major-general in 1798, 332, 333. Letter to Sedgwick, 365.
- Hanson, A. C., 398. Letter to Pickering, 382.



- Hartford Convention**, 25, 56, 199, 215, 216, 218, 219, 231, 233, 237, 244, 328. Mr. Otis its putative father, 56. First project of, 60, 240, 374, 377, 393, 404. Adjourned to Boston, 61, 87, 263, 323, 324. Its meeting, 80, 81, 415. Discharged the duties of a committee of a legislative body, 81, 251, 252. Its constitutionality derived from the right of petition, 81-83, 254, 255. From the right of providing for the common defence, 83, 84, 255, 258. Its unconstitutionality, 252, 253-257. Its expediency, 84, 85, 258. Its objects, 85, 86, 258, 264, 265, 277, 282, 286, 287, 310, 321, 322, 407, 408, 410-414. Its tendency, 320. Character of its members, 86, 274, 275, 282, 283, 405, 411, 412. Its composition, 80, 81, 253. Its connection with the project of 1804, 245, 267, 288. Its necessity in the project of a Northern confederacy, 245, 288. No majority in New England prepared for it, 253, 285. Its first proceedings, 266. Report of its committee of measures, 266-269, 271, 274. Its final report, 85, 86, 274-281, 285, 288-299, 302, 304, 309-312, 314-320, 420-422. Appendix to its report, 274, 324. Its recommendation to the States to pass laws resisting the operation of acts of Congress, 298-301, 322. Its recommendation to appropriate taxes, 269, 304, 305, 308, 309, 322, 422. Its recommendation to adopt a separate system of defence, 268, 310, 311, 322, 326. Its specifications of charges against the national policy, 314, 315. Its amendments to the Constitution, 315-318, 322, 408, 409, 424. Its recommendation to appoint another convention, 323. Its secrecy, 259, 261. Publication of its journal, 259-262. Contents of its journal, 263, 264. Pickering's opinions as to its action, 405, 407-409, 423. John Lowell's opinions as to its composition and action, 410-414. Gouverneur Morris's opinions as to its action, 414, 421.
- Harrison, William Henry**, 395.
- Henry, John**. His secret mission, 52, 117, 120, 122-124, 230, 236, 237, 287. His disclosures, 60. Extracts from his despatches, 118, 119, 121, 136, 238, 273. His relations with Federal leaders, 238, 239.
- Higginson, Stephen**, a member of the Essex Junto, 369, 357. His opinions on the project of a Northern confederacy, 353, 358, 361. His letter to Pickering on a Northern confederacy, 361.
- Hillhouse, James**, 379. His denial of all knowledge of or belief in any combination to form a Northern confederacy, 100, 106. His amendments to the Constitution, 196, 197, 381. His letter to Pickering, 420.
- Hodgdon, Samuel**. Letter to, 419.
- Hunt, Samuel**. In favor of the project for a Northern confederacy, 106.
- Jackson, Andrew**. Mr. Jefferson's feelings towards him, 4, 5.
- Jackson, Charles**, 45, 91.

**Jackson, F. J.** British Minister. Letter to Pickering, reviewing the political relations of England and America, 382.

**Jefferson, Thomas.** Letters to W. B. Giles, 6, 11, 136, 143, 232, 235. His feelings towards Mr. Giles, 2. Towards J. Q. Adams, 2, 7, 8, 13, 17, 18. Towards Andrew Jackson, 4, 5. Towards Napoleon Bonaparte, 103. John Adams's opinion of, 336. His opinions on the rapid advance of the Federal government to consolidation, 6, 7. On making public his letter of 25th December, 1825, 7, 8. His retirement from Washington's administration, 290. His election to the Presidency, 151, 152. His letter to Mazzei, 152, 154. His deference to Thomas Paine, 152. His removals from office, 339, 344, 359, 360, 370. His course towards the judiciary, 152, 160, 161, 170, 314, 327, 339, 340, 344. His opinions on the constitutional power of acquiring Louisiana, 55. His course towards the Navy, 327, 328. His relation to the Federal party, 154. His re-election, 171. His course in 1805, 171, 172. In regard to Mr. King's treaty, 399. In regard to Monroe's treaty, 173, 176, 177. In regard to the \$2,000,000 appropriation, 175. His interview with J. Q. Adams pending the embargo, 11, 12, 24, 50, 51, 112, 231, 234, 236, 240. His proclamation on the Chesapeake affair, 181. His recommendation of an embargo, 188, 189. His alleged suberviency to France, 116, 180, 177, 284, 376, 377, 379, 391. His retirement from the Presidency, 367. Success of his administration, 291, 312, 313. His character, 152. His influence over John Adams, 426.

**Impressment,** 178, 179, 393, 394, 403.

**King, Rufus.** His disapproval of the project for a Northern confederacy, 148, 163, 227, 230, 242, 366. His negotiation on impressment, 179. Letter to, from Pickering, on the project of a Northern confederacy, 351. His reply, 353. His character and advice, 366, 367, 426. His treaty, 399.

**Knower, B.,** 409.

**Knox, Henry.** Retires in disappointment from Washington's administration, 290. His nomination as major-general, 333, 334.

**Lansing, John,** 167, 358.

**Lee, Charles.** Attorney-general, 335.

**Leopard and Chesapeake.** Affair of, 59, 121, 180, 194, 265. Town-meetings at Boston regarding, 182-184. Disavowed by the British government, 186. Settled in 1812, 387.

**Létomb.** French Consul-general, 388.

**Lewis, Morgan,** 167.

**Lincoln, Levi,** 243, 253.

**Lloyd, James,** 406. His letter to John Adams, 199; to John Randolph, 423.

- Louisiana.** Its acquisition, 52-55, 77, 78, 148, 155-158, 160, 171, 315, 362. Its conquest and conversion into a British province, 417-420.
- Lowell, John,** 45, 91, 185. Letters to Pickering, 400, 410. His opinions as to the composition and acts of the Hartford Convention, 411-414.
- Lyman, Daniel,** 263.
- Lyman, Theodore.** Letters to, from Pickering, 343, 358. His letter to Pickering, 350.
- Madison, James.** Interview with Mr. Adams, 156. Suggests amendment to the Constitution, 157. His alleged subserviency to France, 284, 383. His administration, 291, 417. His speech in the Virginia Convention, 325. His succession to Mr. Jefferson, 367.
- Marshall, John,** 150, 389, 426.
- Massachusetts.** Her situation under the embargo and during the war, 79, 211. Abandoned by the national government, she clung to the Union, 80, 82, 249, 257, 306, 307, 323. Compared with other States, 88, 89. Disavowed the Hartford Convention, 319.
- "Massachusetts." Writer under the signature of, 249, 306.
- McHenry, James.** Secretary of War, 335.
- Militia.** Opinion of Judges of Supreme Court of Massachusetts that the power to call out the militia did not belong to the President or Congress, 60, 244, 245, 319. Objection waived by the Governor, 306-308.
- Monroe, James** 173, 176, 194, 290, 403, 423.
- Morgan, Daniel,** 332.
- Morris, Gouverneur.** Letters to Pickering, 403, 418. His letter to Moss Kent, 421.
- New Orleans.** British campaign against, 417, 419, 424.
- Nicholas, W. C.,** 24, 33, 116, 139, 197, 200.
- Non-Importation Act,** 172, 173.
- Non-Intercourse Act,** 128, 130, 141.
- Northern Confederacy.** Project of, in 1803-4, 25, 26, 43, 44, 47-49, 52, 53, 55-59, 133, 144, 147, 160, 162, 168, 170, 178, 191, 192, 194, 201, 326, 340-342. Existed only in Mr. Adams's fancy, 73. Disavowal of, by Massachusetts Federalists, 77, 215, 226, 227, 241; by James Hillhouse and other Connecticut Federalists, 100-104. Its existence asserted by W. Plumer, 144, 227; by De Witt Clinton, 229, 230. Its reproduction in Mr. Pickering's embargo letter, 195, 228, 326. Not connected with the Federal opposition in 1808, 77, 78, 241, 242. Its connection with the Hartford Convention, 286-288, 327. Known to and disapproved by Mr. Bayard, 242. Described by Timothy Pickering, 341, 342, 345, 351, 352, 360; by Roger Griswold, 357. Discussed by Tapping Reeve, 342, 343; by George Cabot, 346-349, 353, 362-364; by Theodore Lyman, 350; by Roger Griswold, 354-356; by Stephen Higginson, 361; by Alexander Hamilton, 365.

**Nova Scotia.** Letter from Governor of, 24, 32, 52, 59, 74, 75, 112, 114, 116, 124, 126, 185, 236, 237.

"One of the Convention," signature of Mr. H. G. Otis, 249, 260, 277, 306, 307.

**Orders in Council,** of 11th November, 1807, 59, 187-189, 191, 193, 250, 265. Their intended revocation in 1811, 384.

**Otis, Harrison Gray,** 386, 392, 410. Letter from him and others calling on Mr. Adams for proof of his charge against certain Federalist leaders, 43. Putative father of the Hartford Convention, 56, 215, 261. His call for Mr. Pickering's embargo letter, 126. Attended town-meeting on affair of Chesapeake, 184, 200, 226, 250, 265. His course in regard to the embargo, 200, 201. Not engaged in the project of 1804, 201; or in any design to dissolve the Union, 230, 237. His relation and attitude to Mr. Adams, 201, 202, 216-218. A leader of the Federal party, 218. His course from 1809 to 1815, 220, 229, 230, 238. His eagerness to defend the Hartford Convention, 231, 233, 246. His letter of 14th January, 1812, 250. His arguments on the constitutionality of the Hartford Convention, 81-84, 254, 255, 258. His publication of the journal of the Convention, 260-262. His share in the proceedings of the Convention, 273, 275, 276. Overpersuaded to attend the Convention, 275. First commissioner to the national government under the second resolution of the Hartford Convention, 325. His letter to Josiah Quincy suggesting the Hartford Convention, 373. His character described by John Lowell, 411.

**Parish, David,** 419.

**Parsons, C. C.,** 45, 91, 152, 224.

**Parsons, Theophilus,** 45, 91, 184, 223, 224, 243, 245, 369, 405. His opinions on the project of a Northern confederacy, 353, 358.

**Party leaders.** Definition of, 68, 221, 222.

**Pennsylvania.** Its reply to the report of the Hartford Convention, 317-319. Impeachment of its judges in 1803, 340.

**Perkins, T. H.,** 45, 91, 184, 219, 386.

**Peters, Richard.** Letter to, 338. His letter to Pickering, 380.

**Pickering, John.** Impeachment of, 161, 350.

**Pickering, Timothy.** Anecdote by W. Plumer, 106. His party, 124, 129. His letters to Governor Sullivan, 125, 142, 194-196, 200, 209, 223, 224, 226, 231, 242, 368-371, 373, 404. His interview with Rufus King in 1804, 148, 195. His relation towards Hamilton, 149-151. His dismissal from the Cabinet, 152, 331. Elected to the Senate, 154, 155. His course on the Louisiana purchase, 155, 159, 160. His charge against J. Q. Adams of voting under executive influence, 173, 174. One of the leaders in the disunion project of 1804, 148, 195, 209, 228. His letter

- to C. C. Pinckney, 331. His feelings towards John Adams in 1800, 331. Conversations with John Adams, 332, 336, 337. His opinion of John Adams, 331, 426. His course in regard to the nomination of W. S. Smith, 332; in regard to the nomination of major-generals in 1798, 333, 334. Prophesies a dissolution of the Union, 338, 389, 391, 417, 424. His letter to George Cabot, 338; to Rufus King, 351. Favors a dissolution of the Union, and a Northern confederacy, 339, 340, 345, 351, 352, 360, 389, 391, 400, 401. Favors a recovery of the Union on a new basis, 406. Favors the election of Burr as Governor of New York, 351, 358. Has uniformly disclaimed every idea of a separation, 407. Letters to G. H. Rose, 366, 387. His account of the Essex Junto, 369, 371. His advice as to the policy of the British government, 366. Letter to Gore, 276. Recommends a convention of New England States, 377, 393. His interpretation of the Tenth Amendment, 378. Believes in the safety of the Union, 380. Letter to Edward Pennington, 388; to George Logan, 391; to Samuel Putnam, 391; to Caleb Strong, on the British demands at Ghent, 394. Advises securing the revenues by New England, 398. Letters to John Lowell, 404, 406, 407, 423, 425; to Gouverneur Morris, 400. Letter to Hillhouse, urging strong measures on the Hartford Convention, 414, 421. Satisfied with the results of the Hartford Convention, 423.
- Pickman, Benjamin, 45, 91, 219, 410.
- Pinckney, Charles Cotesworth, 150, 151.
- Pinkney, William, 173, 176, 194, 383-385. His audience of leave, 385.
- Pitt, William, 176.
- Plumer, William. His assertion of the disunion project of 1803-1804, 101, 103. His comments on James Hillhouse and others, 106. His letter to J. Q. Adams, 144, 215, 227. His character, 147. His course, 170.
- Prescott, William, 45, 91, 412.
- Quincy, Josiah, 382. His opinion on the effects of the acquisition of Louisiana, 56. His report in 1813, 78. His interview with Mr. Adams in February, 1808, 198, 209, 246, 300. Letter to him from H. G. Otis, 373.
- Randolph, Edmund, 290.
- Randolph, John, 143, 144, 161, 231, 232, 234, 391, 407. His rupture with Mr. Jefferson, 170, 175. His opinions on the judiciary, 340, 344.
- Randolph, T. J. Letter to Archibald Stuart, 10.
- Reeve, Tapping. Letter to Uriah Tracy on the project of a Northern confederation, 342.

- Robinson, Jonathan. Senator from Vermont, 24, 33, 117.
- Rose, G. H., British Envoy. His mission, 59, 186, 187, 191, 194, 195, 198. Letters to him from Mr. Pickering, 366, 368. His letters to Mr. Pickering, 367, 370-372.
- Rule of the war of 1756, 171, 172, 176.
- Sargent, Daniel, 45, 91, 412.
- Sedgwick, Theodore, 365.
- Sherman, R. M., 405.
- Smith, John Cotton. His denial of belief in the Northern confederacy of 1803-4, 101.
- Smith, W. S. His appointment as adjutant-general in 1798, 332. His military abilities, 337.
- Spencer, Ambrose, 409.
- Stoddert, Benjamin, 335.
- Story, Joseph, 243.
- Strong, Governor, 348, 361, 368, 416, 425. His refusal to call out the militia, 80, 249, 319. Letters to Pickering, 398.
- Stuart, Archibald. Letter to T. J. Randolph, 10, 235. Mr. Giles's remarks on, 27.
- Sullivan, William, 45, 91, 412.
- Tallmadge, B. His denial of belief in the Northern confederacy of 1803-4, 103.
- Taylor, John, of New York, 409.
- Taylor, John, of Caroline, 417.
- Thorndike, Israel, 45, 91, 412.
- Tracy, Uriah, 93. His communications to Mr. Adams, 93, 97. His character, 98, 102. His silence to his friends in regard to the project of a Northern confederacy, 99. James Hillhouse's letter regarding him, 100. John Davenport's letter regarding him, 100. John Cotton Smith's letter regarding him, 101. Simon Baldwin's letter regarding him, 102. B. Tallmadge's statement regarding him, 103. Calvin Goddard's letter regarding him, 104. William Plumer's statement regarding him, 106. Interview with John Adams, 332, 333. His letters to Connecticut suggesting a Northern confederacy, 342.
- Trafalgar. Battle of, 75, 114.
- Turreau. French Minister, 379.
- Union. Dissolution of, the certain result of a war with England, 347, 363. Discussed by A. C. Hanson, 382; by Pickering, 389. Severed by British conquest of Louisiana, 417, 418, 420, 424, 425. By carrying out the recommendations of the Hartford Convention, 421. See *Northern Confederacy*.



WILCOX, S. S., 412.

Williams, Samuel, 370.

Wolcott, Oliver. Secretary of the Treasury, 335. Let

Yankee spirit. Its character, 283. Its alliance with E











11



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